

## **SPECIAL UPDATE - September 2023**

### **Overview of Policy Revisions**

#### **Special Update Policies**

##### **Bylaw 0124 - Standards of Ethical Conduct (Revised)**

##### **Policy 3210 – Standards of Ethical Conduct (Revised)**

##### **Policy 4210 – Standards of Ethical Conduct (Revised)**

The revisions to these policies are based on F.A.C. Rule 6A-10.081 (Principles of Professional Conduct for the Education Profession in Florida). The rule expands the list of obligations to the student to include prohibitions related to classroom instruction on sexual orientation or gender identity, discouraging parental notification and involvement, violating F.S. 553.865 as it relates to entering restrooms and changing facilities designated for the opposite sex, and violating F.S. 1000.071 (use of personal titles and pronouns).

##### **Policy 1217 – Weapons (Deleted)**

##### **Policy 3217 – Weapons (Deleted)**

##### **Policy 4217 – Weapons (Deleted)**

##### **Policy 5772 – Weapons (Revised)**

##### **Policy 7217 – Weapons (Revised)**

The revisions to these policies are based on our ongoing work with clients and continued effort to reduce the duplication of policies. Specifically, Policies 1217/3217/4217 are all recommended for deletion, because Policy 7217 is expanded to apply to employees. This allows for one policy as opposed to three duplicative policies.

Policies 5772 and 7217 are revised to update the definitions section, modify the list of areas where concealed weapons and firearms are prohibited, and modify language related to the Board's ability to exercise its authority pursuant to F.S. 790.115 to waive the exception allowing firearms/weapons to be stored in a vehicle for purposes of student and campus parking privileges. In light of recent litigation and how courts strictly construe restrictions on lawful possession, Neola is of the position that it is more appropriate to offer policy language that mirrors this particular statute.

##### **Policy 2423 – School-to-Work Program (Technical Correction)**

The technical correction to this policy includes adding a legal reference to F.A.C. Rule 6A-23.0042 (Work-Based Learning Standards)(effective May 3, 2022).

##### **Policy 3700 – Teachers' Bill of Rights (Revised)**

The revisions to Policy 3700 are the result of F.A.C. Rule 6A-1.094127 (Special Magistrate for Teacher Empowerment). Please see the memorandum included with the Special Update for a detailed explanation of the proposed revisions to this policy.

# **SPECIAL UPDATE - September 2023**

## **Overview of Policy Revisions**

### **Policy 5111.01 - Homeless Students (Revised)**

The revisions to Policy 5111.01 are based on F.A.C. Rule 6A-10.088 (Florida McKinney-Vento Program Training and Identification). The revisions include the following: (1) a revised definition section that tracks the definitions contained within the new rule; (2) a new section outlining the District's responsibility to create and utilize a student housing questionnaire(s); (3) changing "Liaison for Homeless Children" to "McKinney-Vento Liaison" to track terminology used in the new rule; and (4) a new section addressing annual and other reporting requirements mandated under the new rule.

### **Policy 5410.01 – Promotion, Acceleration, Placement, and Retention (Revised)**

This policy was revised as part of the Volume 24, Number 1 Update (July 2023). Subsequent to its release, Neola learned that the BoardDocs platform inadvertently deleted language contained in the "Middle Grades Promotion" section of the policy. The deleted language has been added back into the template.

### **Policy 5782 - Parent/Guardian Notification and Permission (New)**

F.A.C. Rule 6A-10.089 (School-Sponsored Events and Activities) requires, among other things, that "policies adopted by a school district...for school-sponsored events and activities must...provide for parental notification as set forth [in the rule]." To comply with this requirement, a new policy has been created addressing the notification that Districts must provide parents and guardians of students regarding the details of any school-sponsored event or activity. Moreover, the policy specifies in accordance with the new rule that Districts are required to obtain permission from parents and guardians for their students to participate in such events or activities.

### **Policy 7540.03 - Student Internet and Acceptable Use (Revised)**

Policy 7540.03 is renamed and revised in accordance with the newly-adopted F.A.C. Rule 6A-1.0957 (Internet Safety Policy). The revised policy title, "Student Internet Safety and Acceptable Use," is more aligned with the title of the new rule (Internet Safety Policy) to make it easier for District personnel and the public to locate. The revisions to the policy include requiring that District personnel confirm that content is not blocked by the District's student internet filter prior to requiring students to use online content. The policy also requires that it be reviewed and approved by September 1 of each year (per the requirements of F.A.C. Rule 6A-1.0957).

### **Policy 8330 - Student Records (Revised)**

## **SPECIAL UPDATE - September 2023**

### **Overview of Policy Revisions**

The revisions to Policy 8330 are based on F.A.C. Rule 6A-1.0955. Revisions include a minor modification to the definition of "third-party vendor" or "Third-party service provider" and the addition of a section notifying parent's of their ability to approve a deviation of their student's legal name (such as a nickname). The District is also required to create a form for parent's to complete authorizing the deviation. Since the rule does not specify that the form must be electronic or hard copy, the proposed policy language includes "electronic or hard copy."

For ease of implementation and parental access, the District may want to consider creating an electronic form for parents to access and complete through the District's Student Information System.





Book Policy Manual  
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Title Copy of STANDARDS OF ETHICAL CONDUCT  
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[F.S. 112.3148](#)  
[F.S. 112.3149](#)  
[F.S. 1001.42\(6\)](#)  
[F.S. 1001.421](#)  
[F.S. 1012.23](#)  
[F.A.C. 6A-10.081](#)  
Adopted October 10, 2022

**0124 - Standards of Ethical Conduct**

Members of the School Board recognize their individual duty to promote the best interests of the District. Public schools as a whole and each Board member shall adhere to the following educational and ethical standards.

Board members must have a sincere desire to serve the educational needs of the community. Decisions must be based on the best interests of students and not on political or personal interests.

Board members recognize their individual duty to promote the best interests of the District. In doing so, members of the Board shall be guided by the *Principles of Professional Conduct for the Education Profession in Florida*, F.A.C. 6A-10.081, which outlines the following ethical principles:

- A. Board members value the worth and dignity of every person, the pursuit of truth, devotion to excellence, acquisition of knowledge, and the nurture of democratic citizenship. Essential to the achievement of these standards are the freedom to learn and to teach and the guarantee of equal opportunity for all.
- B. Board members share the primary professional concern for the student and for the development of the student's potential. Members of the Board will, therefore, strive for professional growth and will seek to exercise the best professional judgment and integrity.
- C. Board members strive to achieve and sustain the highest degree of ethical conduct because they are aware of the importance of maintaining the respect and confidence of their colleagues, of students, of parents, and of other members of the community.

Members of the Board shall strive to fulfill the following obligations:

A. Obligation to the student requires that members of the Board do what is necessary and appropriate so that:

1. students are protected from conditions harmful to learning and/or to the students' mental and/or physical health and/or safety is protected as well.
2. students are not unreasonably restrained from independent action in pursuit of learning.
3. students are not unreasonably denied access to diverse points of view.
4. subject matter relevant to a student's academic program is not intentionally suppressed or distorted.
5. students are not intentionally exposed to unnecessary embarrassment or disparagement.
6. students are not intentionally provided classroom instruction in prekindergarten through grade 8 on sexual orientation or gender identity, except when required by F.S. 1003.42(2)(n)3, and 1003.46.
7. students are not intentionally provided classroom instruction to students in grades 9 through 12 on sexual orientation or gender identity unless such instruction is required by State academic standards as adopted by F.A.C. 6A-1.09401, or is part of a reproductive health course or health lesson for which a student's parent has the option to have their student not attend.
8. student's legal rights are not intentionally violated.
9. parents are not discouraged or prohibited parental notification of and involvement in critical decisions affecting a student's mental, emotional, or physical health or well-being unless the individual reasonably believes that disclosure would result in abuse, abandonment, or neglect as defined in F.S. 39.01.
10. students are not harassed or discriminated against on the basis of race, color, nationality or ethnic origin, sex (including sexual orientation, transgender status, or gender identity), disability (including HIV, AIDS, or sickle cell trait), pregnancy, marital status, age (except as authorized by law), religion, political beliefs, social and family background, military status, ancestry, or genetic information and each student is protected from harassment or discrimination.
11. District staff members, administrators, or officials do not exploit a relationship with a student for personal gain or advantage.
12. personally identifiable information obtained in the course of professional service is kept in confidence unless disclosure serves professional purposes or is required by law.
13. the Board member shall not violate F.S. 553.865(9)(b), which relates to entering restrooms and changing facilities designated for the opposite sex on the premises of an educational institution.
14. the Board member shall not violate F.S. 1000.071, which relates to the use of personal titles and pronouns in educational institutions.

B. Obligation to the public requires that the members of the Board do what is necessary and appropriate so that:

1. District staff members, administrators, and officials distinguish between personal views and those of the District.
2. facts concerning an educational matter are not intentionally distorted or misrepresented in direct or indirect public expression.
3. institutional privileges are not used for personal gain or advantage. (see also Bylaw 0141.2, *Conflict of Interest*)
4. District staff members, administrators, and officials do not accept a gratuity, gift, or favor that might influence professional judgment. (see also Bylaw 0141.2, *Conflict of Interest*)
5. District staff members, administrators, and official do not offer a gratuity, gift, or favor to obtain special advantages. (see also Bylaw 0141.2, *Conflict of Interest*)

C. Obligation to the profession of education requires that members of the Board do what is necessary and appropriate so that:

1. all District staff members, administrators, and official maintain honesty in all professional dealings.
2. a District staff member, administrator, or official is not denied professional benefits or advantages or participation in any professional organization not on the basis of race, color, national or ethnic origin, sex (including sexual orientation, transgender status, or gender identity), disability (including HIV, AIDS, or sickle

cell trait), pregnancy, marital status, age (except as authorized by law), religion, political beliefs, social and family background, military status, ancestry, or genetic information.

3. District staff members, administrators, or officials do not interfere with a District staff member's, administrator's, or official's exercise of political or civil rights and responsibilities.
  4. a District staff member, administrator, or official does not engage in harassment or discriminatory conduct which unreasonably interferes with an individual's performance of professional or work responsibilities or with the orderly processes of education or which creates a hostile, intimidating, abusive, offensive, or oppressive environment; and, further, so that each District staff member, administrator, or official is protected from such harassment or discrimination.
  5. a District staff member, administrator, or official does not make malicious or intentionally false statements about another District staff member, administrator, or official.
  6. a District staff member, administrator, or official does not use coercive means or promises of special treatment to influence professional judgments of a colleague.
  7. a District staff member, administrator, or official does not misrepresent one's own professional qualifications.
  8. District staff members, administrators, or officials do not submit fraudulent information on any document in connection with professional activities.
  9. District staff members, administrators, or officials do not make any fraudulent statement or fail to disclose a material fact in one's own or another's application for a professional position.
  10. District staff members, administrators, or officials do not withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment.
  11. a District staff member, administrator, or official does not assist with entry into or continuance in the profession of any person known to be unqualified in accordance with the *Principles of Professional Conduct for the Education Profession in Florida*, other applicable Florida statutes, State Board of Education rules, and Board policies.
  12. a District staff member, administrator, or official self-reports within forty-eight (48) hours to appropriate authorities (as determined by the District) any arrests/charges involving the abuse of a child or the sale and/or possession of a controlled substance. Such notice shall not be considered an admission of guilt nor shall such notice be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. In addition, Board members shall self-report any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea of guilty or Nolo Contendere for any criminal offense other than a minor traffic violation within forty-eight (48) hours after the final judgment.
  13. a District staff member, administrator, or officials understand their duty to report to appropriate authorities any known allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795(1).
  14. a District staff member, administrator, or official does not seek reprisal against any individual who has reported any allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795(1).
- D. Members of the Board shall not have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature that is in substantial conflict with the proper discharge of his/her duties in the public interest. (see also Bylaw 0141.2, *Conflict of Interest*)
- E. Each Board member must recognize that decisions must be made by the Board as a whole and that when made, these decisions must be supported by the entire Board.
- F. All Board members shall adhere to the principles enumerated above.

### **Mandatory Training**

Members of the Board shall complete four (4) hours of ethics training each calendar year that addresses, at a minimum, the constitutional "Sunshine Law" provisions (Article II, Section 8), the statutory *Code of Ethics for Public Officers and Employees* (F.S. Chapter 112, Part III), and the public records and public meetings laws. This requirement may be satisfied

by completion of a continuing legal education class or other continuing professional education class, seminar, or presentation if the required subjects are covered.

Members of the Board are also required to complete training annually on the standards of ethical conduct established in this bylaw.

### **Gifts**

Members of the Board may not solicit any gift or knowingly accept, directly or indirectly, a gift valued in excess of \$50.00 or an honorarium from a person, vendor, potential vendor or other entity doing business with the Board, from a political committee, or from a lobbyist (and related individuals and entities) who lobbies the reporting individual's agency (see F.S. 1001.421). "Vendor" is defined by F.S. 112.3148 relating to gifts and F.S. 112.3149 relating to honoraria to mean a business entity doing business directly with an agency, such as renting, leasing, or selling realty, goods, or services. The term "gift" has the same meaning as in F.S. 112.312(12). This prohibition applies as well to relatives, as defined in F.S. 112.312(21).

In addition to the foregoing, members of the Board shall not solicit or accept anything of value including a gift, loan, reward, promise of future employment, favor, or service, based upon any understanding that the vote, official action, or judgment of the Board member would be influenced thereby.

Board members are further required to follow all Florida laws applicable to the solicitation or acceptance of gifts, including F.S. 112.313 and 112.3148. Board members must review these laws upon taking office and are encouraged to do so periodically during the course of their term in office.

### **Responsibilities Related to Allegations of Misconduct**

Pursuant to F.S. 1001.42(7), a Board member may not knowingly sign and transmit to any State official a report of alleged misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student which the Board member knows to be false or incorrect, or knowingly fail to adopt policies that require instructional personnel and school administrators to report alleged misconduct by other instructional personnel or school administrators, or that require the investigation of all reports of alleged misconduct by instructional personnel and school administrators, if the misconduct affects the health, safety, or welfare of a student. Violation of this provision will result in the forfeit of the Board member's salary for one (1) year.

### **Appointment or Employment of Relative**

Pursuant to F.S. 1012.23(2), Board members may not appoint or employ a relative, as defined in F.S. 112.3135, to work under their direct supervision. This limitation does not apply to employees appointed or employed before the election or appointment of the Board member.





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Last Revised	May 8, 2023

### 3210 - STANDARDS OF ETHICAL CONDUCT

Instructional staff members shall be guided by and adhere to the following ethical principles:

- A. The instructional staff member values the worth and dignity of every person, the pursuit of truth, devotion to excellence, acquisition of knowledge, and the nurture of democratic citizenship. Essential to the achievement of these standards are the freedom to learn and to teach and the guarantee of equal opportunity for all.
- B. The instructional staff member's primary professional concern will always be for the student and for the development of the student's potential. The instructional staff member will, therefore, strive for professional growth and will seek to exercise the best professional judgment and integrity.
- C. The instructional staff member strives to achieve and sustain the highest degree of ethical conduct because s/he is aware of the importance of maintaining the respect and confidence of one's colleagues, of students, of parents, and of other members of the community.

District instructional staff members shall comply with the following disciplinary principles. Violation of any of these principles shall subject the individual to revocation or suspension of the individual instructional staff member's certificate, or the other penalties as provided by law.

A. Obligation to the student requires that the District instructional staff member shall:

1. make a reasonable effort to protect the student from conditions harmful to learning and/or to the student's mental and/or physical health and/or safety.
2. not unreasonably restrain a student from independent action in pursuit of learning.

3. not unreasonably deny a student access to diverse points of view.
4. not intentionally suppress or distort subject matter relevant to a student's academic program.
5. not intentionally expose a student to unnecessary embarrassment or disparagement.
6. not intentionally provide classroom instruction to students in kindergarten through grade 3 on sexual orientation or gender identity, except when required by F.S. 1003.42(2)(n)3. and 1003.46.
7. not intentionally provide classroom instruction to students in grades 9 through 12 on sexual orientation or gender identity unless such instruction is required by state academic standards as adopted in F.A.C. 6A-1.09401, or is part of a reproductive health course or health lesson for which a student's parent has the option to have their student not attend.
8. not intentionally violate or deny a student's legal rights.
9. not discourage or prohibit parental notification of and involvement in critical decisions affecting a student's mental, emotional, or physical health or well-being unless the individual reasonably believes that disclosure would result in abuse, abandonment, or neglect as defined in F.S. 39.01.
10. keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law.
11. not violate F.S. 553.865(9)(b), which relates to entering restrooms and changing facilities designated for the opposite sex on the premises of an educational institution.
12. not violate F.S. 1000.071, which relates to the use of personal titles and pronouns in educational institutions.

B. Obligation to the public requires that the District instructional staff member shall:

1. take reasonable precautions to distinguish between personal views and those of any educational institution or organization with which the individual is affiliated.
2. not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression.
3. not use institutional privileges for personal gain or advantage. (see also Policy 3129, Conflict of Interest)
4. accept no gratuity, gift, or favor that might influence professional judgment. (see also Policy 3129, Conflict of Interest)
5. offer no gratuity, gift, or favor to obtain special advantages. (see also Policy 3129, Conflict of Interest)

C. Obligation to the profession of education requires that the District instructional staff member shall

1. maintain honesty in all professional dealings.
2. not on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition if otherwise qualified, or social and family background deny to a colleague professional benefits or advantages or participation in any professional organization.
3. not interfere with a colleague's exercise of political or civil rights and responsibilities.
4. not engage in harassment or discriminatory conduct which unreasonably interferes with an individual's performance of professional or work responsibilities or with the orderly processes of education or which creates a hostile, intimidating, abusive, offensive, or oppressive environment; and, further, shall make reasonable efforts to assure that each individual is protected from such harassment or discrimination.
5. not make malicious or intentionally false statements about a colleague.
6. not use coercive means or promise special treatment to influence professional judgments of colleagues.
7. not misrepresent one's own professional qualifications.
8. not submit fraudulent information on any document in connection with professional activities.

9. not make any fraudulent statement or fail to disclose a material fact in one's own or another's application for a professional position.
  10. not withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment.
  11. provide upon the request of a certificated individual a written statement of the specific reason for recommendations that lead to the denial of increments, significant changes in employment, or termination of employment.
  12. not assist entry into or continuance in the profession of any person known to be unqualified in accordance with these *Principles of Professional Conduct for the Education Profession in Florida* and other applicable Florida statutes and State Board of Education rules.
  13. self-report within forty-eight (48) hours to appropriate authorities (as determined by the District) any arrests/charges involving the abuse of a child or the sale and/or possession of a controlled substance. Such notice shall not be considered an admission of guilt nor shall such notice be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. In addition, District instructional staff members shall self-report any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea of guilty or Nolo Contendere for any criminal offense other than a minor traffic violation within forty-eight (48) hours after the final judgment. When handling sealed and expunged records disclosed under this rule, school districts shall comply with the confidentiality provisions of F.S. 943.0585(4)(c) and 943.059(4)(c).
  14. report to appropriate authorities any known allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795(1).
  15. seek no reprisal against any individual who has reported any allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795(1).
  16. comply with the conditions of an order of the Education Practices Commission imposing probation, imposing a fine, or restricting the authorized scope of practice.
  17. as the supervising administrator, cooperate with the Education Practices Commission in monitoring the probation of a subordinate.
- D. No instructional staff member shall have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature that is in substantial conflict with the proper discharge of his/her/their in the public interest. (see also Policy 3129, Conflict of Interest)

E. All District instructional staff members shall adhere to the principles enumerated above.

All instructional staff members shall be required to complete training on the standards established herein upon employment and annually thereafter.

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**Revised Policy - Special Upd., Sept. 2023**

**4210 - STANDARDS OF ETHICAL CONDUCT**

**~~{DRAFTING NOTE: The Principles of Professional Conduct for the Education Progression in Florida (Principles) apply to teaching certificate holders (educators). Certificate holders who violate the Principles may be disciplined by the School Board (employment) and the Florida Department of Education (teaching certificate).~~**

**~~Although the School Board is not required to adopt the Principles as its Standards of Ethical Conduct, Neola has included the Principles in this policy template to provide the Board with clear, uniform Standards of Ethical Conduct applicable to all employees regardless of whether they are a teaching certificate holder.~~**

**~~Option 1 is a restatement of the Principles modified to replace "educator" with "support staff member".~~**

**~~Option 2 does not restate the Principles, but Option 2 requires support staff members to abide by them.]~~**

**~~{CHOOSE OPTION #1 OR OPTION #2}~~**

] Option #1

Support staff members shall be guided by and adhere to the following ethical principles:

- A. The support staff member values the worth and dignity of every person, the pursuit of truth, devotion to excellence, acquisition of knowledge, and the nurture of democratic citizenship. Essential to the achievement of these standards are the freedom to learn and to teach and the guarantee of equal opportunity for all.

- B. The support staff member's primary professional concern will always be for the student and for the development of the student's potential. The support staff member will therefore strive for professional growth and will seek to exercise the best professional judgment and integrity.
- C. The support staff member strives to achieve and sustain the highest degree of ethical conduct because s/he is aware of the importance of maintaining the respect and confidence of one's colleagues, of students, of parents, and of other members of the community.

**[CHOOSE ONE (1) OF THE FOLLOWING TWO (2) OPTIONS]**

All District support staff members shall comply with the following disciplinary principles.

~~District support staff members who have direct access to students shall comply with the following disciplinary principles.~~

**{END OF OPTIONS}**

Individuals who violate any of these principles shall be subject to disciplinary action, as well as other penalties as may be provided by law.

A. Obligation to the student requires that the District support staff member shall:

1. make a reasonable effort to protect the student from conditions harmful to learning and/or to the student's mental and/or physical health and/or safety;
2. not unreasonably restrain a student from independent action in pursuit of learning;
3. not unreasonably deny a student access to diverse points of view;
4. not intentionally suppress or distort subject matter relevant to a student's academic program;
5. not intentionally expose a student to unnecessary embarrassment or disparagement;
6. not intentionally provide classroom instruction to students in kindergarten through grade 3 on sexual orientation or gender identity, except when required by F.S. 1003.42(2)(n)3. and 1003.46;
7. not intentionally provide classroom instruction to students in grades 9 through 12 on sexual orientation or gender identity unless such instruction is required by state academic standards as adopted in F.A.C. Rule 6A-1.09401, or is part of a reproductive health course or health lesson for which a student's parent has the option to have their student not attend;
8. not intentionally violate or deny a student's legal rights;
9. not discourage or prohibit parental notification of and involvement in critical decisions affecting a student's mental, emotional, or physical health or well-being unless the individual reasonably believes that disclosure would result in abuse, abandonment, or neglect as defined in F.S. 39.01;
10. not harass or discriminate against any student on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition, sexual orientation, or social and family background and shall make reasonable efforts to assure that each student is protected from harassment or discrimination; discrimination on the basis of race, color, national origin, or sex includes subjecting any student to training or instruction that espouses, promotes, advances, inculcates, or compels such student to believe any of the concepts listed in F.S. 1000.05(4)(a);
11. not exploit a relationship with a student for personal gain or advantage;
12. keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law;
13. not violate F.S. 553.865(9)(b), which relates to entering restrooms and changing facilities designated for the opposite sex on the premises of an educational institution; and,
14. not violate F.S. 1000.071, which relates to the use of personal titles and pronouns in educational institutions.

B. Obligation to the public requires that the District support staff member shall:

1. take reasonable precautions to distinguish between personal views and those of any educational institution or organization with which the individual is affiliated;
2. not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression;
3. not use institutional privileges for personal gain or advantage; (see also Policy 4129, *Conflict of Interest*)
4. accept no gratuity, gift, or favor that might influence judgment; (see also Policy 4129, *Conflict of Interest*)

**(NOTE: Pursuant to F.S. 112.313, no support staff member shall solicit or accept anything of value including a gift (see F.S. 112.312), loan, reward, promise of future employment, favor, or service based upon an understanding that the vote, official action, or judgment of the support staff member would be influenced thereby.)**

5. offer no gratuity, gift, or favor to obtain special advantages. (see also Policy 4129, *Conflict of Interest*)

C. Obligation to the profession of education requires that the District support staff member shall:

1. maintain honesty in all dealings;
2. not on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition if otherwise qualified, or social and family background deny to a colleague professional benefits or advantages or participation in any professional organization;
3. not interfere with a colleague's exercise of political or civil rights and responsibilities;
4. not engage in harassment or discriminatory conduct which unreasonably interferes with an individual's performance of professional or work responsibilities or with the orderly processes of education or which creates a hostile, intimidating, abusive, offensive, or oppressive environment; and, further, shall make reasonable efforts to assure that each individual is protected from such harassment or discrimination;
5. not make malicious or intentionally false statements about a colleague;
6. not use coercive means or promise special treatment to influence professional judgments of colleagues;
7. not misrepresent one's own professional qualifications;
8. not submit fraudulent information on any document in connection with professional activities;
9. not make any fraudulent statement or fail to disclose a material fact in one's own or another's application for a professional position;
10. not withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment;
11. provide upon the request of a certificated individual a written statement of specific reason for recommendations that lead to the denial of increments, significant changes in employment, or termination of employment;
12. not assist entry into or continuance in the profession of any person known to be unqualified in accordance with these *Principles of Professional Conduct for the Education Profession in Florida* and other applicable Florida statutes and State Board of Education rules;
13. self-report within forty-eight (48) hours to appropriate authorities (as determined by the District) any arrests/charges involving the abuse of a child or the sale and/or possession of a controlled substance;

Such notice shall not be considered an admission of guilt nor shall such notice be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. In addition, District support staff members shall self-report any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea of guilty or Nolo Contendere for any criminal offense other than a minor traffic violation within forty-eight (48) hours after the final judgment. When handling sealed and expunged records disclosed under this rule, school districts shall comply with the confidentiality provisions of F.S. 943.0585(4)(c) and 943.059(4)(c).

14. report to appropriate authorities any known allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795(1);

15. seek no reprisal against any individual who has reported any allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795(1).

D. No support staff member shall have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature that is in substantial conflict with the proper discharge of his/her duties in the public interest. (see also Policy 4129, *Conflict of Interest*)

E. All District support staff members shall adhere to the principles enumerated above.

~~{END OF OPTION #1}~~

~~{OPTION #2}~~

~~The School Board hereby establishes the ethical and disciplinary principles set forth in the Florida Administrative Code as the Principles of Professional Conduct of the Education Profession in Florida as the District's standards of ethical conduct and requires all support staff members to adhere to them.~~

~~No support staff member shall have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature that is in substantial conflict with the proper discharge of his/her duties in the public interest. (see also Policy 4129, *Conflict of Interest*)~~

~~No support staff member shall solicit or accept anything of value including a gift (See F.S. 112.312), loan, reward, promise of future employment, favor, or service, based upon an understanding that the vote, official action, or judgment of the support staff member would be influenced thereby.~~

~~{END OF OPTION #2}~~

All support staff members shall be required to complete training on the standards established herein upon employment and annually thereafter.

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[F.S. 1006.07](#)  
[18 U.S.C. 922](#)  
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~~1217~~ **WEAPONS**

~~But for the exceptions specified below, pursuant to State law, the School Board prohibits District employees from openly carrying a handgun or carrying a concealed weapon or firearm, in a school safety zone, into any elementary or secondary school, administration building, as well as into any Board meeting, any setting that is under the control and supervision of the Board for the purpose of school activities approved and authorized by the Board including, but not limited to, property leased, owned, or contracted for by the Board, a school sponsored event, or in a Board owned vehicle.~~

~~**[NOTE: If the Board chooses to exercise its authority pursuant to F.S. 790.115 to exercise its discretionary authority to determine that staff and students will not be permitted to have an unloaded firearm encased within the interior of a private motor vehicle that is parked on property owned, leased, or contracted for by the Board, the following provision should be added at the end of the first paragraph.]**~~

~~{ } Furthermore, the Board prohibits District employees from having an unloaded firearm securely encased within the interior of a private motor vehicle when that vehicle is parked on property leased, owned, or contracted for by the Board.~~

~~**[END OF OPTION]**~~

~~Weapons and firearms as defined in F.S. 790.001 and include, but are not limited to, firearms, guns of any type, knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives.~~

~~For purposes of this policy, the term "weapon" also means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons.~~

~~Exceptions to the Board's prohibition from openly carrying a handgun or carrying a concealed weapon or firearm, in the school safety zone of any elementary or secondary school, into any administration building, as well as into any Board meeting, any setting that is under the control and supervision of the District for the purpose of school activities approved and authorized by the District including, but not limited to, property leased, owned, or contracted for by the District, any school sponsored event, or in a District vehicle include the following:~~

- ~~A. A person may carry an unloaded firearm in a case to a firearms program, class or function which has been approved in advance by the Principal or site administrator as a program or class to which firearms could be carried.~~
- ~~B. A person may carry an unloaded firearm in a case to a career center having a firearms training range.~~
- ~~C. Police or other licensed law enforcement officers, as well as other persons approved by the school or District on a case-by-case basis, may possess a firearm or weapon.~~

**~~{OPTION #1}~~**

~~{NOTE: If the Board does NOT exercise its authority pursuant to F.S. 790.115 to determine that staff and students are not permitted to have an unloaded firearm encased within the interior of a private motor vehicle that is parked on property owned, leased, or contracted for by the Board, the following provision should be added to the list of exceptions.}~~

- ~~D.  A person may have an unloaded firearm securely encased within the interior of a private motor vehicle if the firearm or weapon is carried for a lawful purpose and is not readily available for immediate use.~~

**~~{END OF OPTION #1}~~**

**~~{OPTION #2}~~**

~~{NOTE: This option is provided so that the Board can acknowledge, and authorize, the possession and use of tools, instruments, and other devices that may meet the definition of weapons, but are needed in the performance or furtherance of an individual's job requirements.}~~

- ~~D.  Staff members, contractors, vendors, or their employees may possess and use tools, instruments, and other devices on District property or at District sponsored events, including in vehicles in either situation, even though such items fall within the definition of weapons, provided that such possession and use is in accordance with the terms of a written contract with the Board, or is otherwise in furtherance of their duties under such a contract and is authorized in advance by the Superintendent.~~

**~~{END OF OPTION #2}~~**

~~All District employees shall immediately report knowledge of firearms, weapons, and/or threats of violence by students, staff members, or visitors to the \_\_\_\_\_ . Failure to report such knowledge may subject District employees to discipline.~~

~~The Superintendent shall require that any District employee possessing a firearm, weapon, or other device designed to inflict serious bodily harm, including a concealed firearm or weapon, in violation of this policy and State law, is reported immediately to the appropriate law enforcement agency, regardless of whether such District employee possesses a valid concealed weapon license. As well, the staff member shall be subject to disciplinary action, up to and including termination, consistent with law, due process, and the terms of any negotiated agreement.~~

~~The Superintendent shall post notices at each entrance of a school and/or school building and in areas inside the building where visitors are required to report prohibiting an individual from openly carrying a handgun or carrying a concealed weapon or firearm in a school safety zone, including schools and school buildings, on school premises and school buses, and at school activities. Such notices shall also be posted at each entrance leading into a school activity (particularly those activities held outside of the school building) and school campuses. Further, notices shall be posted in each school bus and other Board owned vehicle, including a school van.~~



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### ~~3217~~ **WEAPONS**

~~But for the exceptions specified below, pursuant to State law, the School Board prohibits District employees from openly carrying a handgun or carrying a concealed weapon or firearm, in a school safety zone, into any elementary or secondary school, administration building, as well as into any Board meeting, any setting that is under the control and supervision of the Board for the purpose of school activities approved and authorized by the Board including, but not limited to, property leased, owned, or contracted for by the Board, a school sponsored event, or in a Board owned vehicle.~~

~~Furthermore, the Board prohibits District employees from having an unloaded firearm securely encased within the interior of a private motor vehicle when that vehicle is parked on property leased, owned, or contracted for by the Board.~~

~~Weapons and firearms as defined in F.S. 790.001 and include, but are not limited to, firearms, guns of any type, knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives.~~

~~For purposes of this policy, the term "weapon" also means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons.~~

~~Exceptions to the Board's prohibition from openly carrying a handgun or carrying a concealed weapon or firearm, in the school safety zone of any elementary or secondary school, into any administration building, as well as into any Board meeting, any setting that is under the control and supervision of the District for the purpose of school activities approved and authorized by the District including, but not limited to, property leased, owned, or contracted for by the District, any school sponsored event, or in a District vehicle include the following:~~

- ~~A. A person may carry an unloaded firearm in a case to a firearms program, class or function which has been approved in advance by the Principal or site administrator as a program or class to which firearms could be carried.~~
- ~~B. A person may carry an unloaded firearm in a case to a career center having a firearms training range.~~

- C. ~~Members of the Armed Forces, National Guard, police, Police or other licensed law enforcement officers, as well as other persons approved by the school or District on a case-by-case basis, may possess a firearm or weapon.~~
- D. ~~Staff members, contractors, vendors, or their employees may possess and use tools, instruments, and other devices on District property or at District-sponsored events, including in vehicles in either situation, even though such items fall within the definition of weapons, provided that such possession and use is in accordance with the terms of a written contract with the Board, or is otherwise in furtherance of their duties under such a contract and is authorized in advance by the Superintendent.~~

~~All District employees shall immediately report knowledge of firearms, weapons, and/or threats of violence by students, staff members, or visitors to the Superintendent. Failure to report such knowledge may subject District employees to discipline.~~

~~The Superintendent shall require that any District employee possessing a firearm, weapon, or other device designed to inflict serious bodily harm, including a concealed firearm or weapon, in violation of this policy and State law, is reported immediately to the appropriate law enforcement agency, regardless of whether such District employee possesses a valid concealed weapon license. As well, the staff member shall be subject to disciplinary action, up to and including termination, consistent with law, due process, and the terms of any negotiated agreement.~~

~~The Superintendent shall post notices at each entrance of a school and/or school building and in areas inside the building where visitors are required to report prohibiting an individual from openly carrying a handgun or carrying a concealed weapon or firearm in a school safety zone, including schools and school buildings, on school premises and school buses, and at school activities. Such notices shall also be posted at each entrance leading into a school activity (particularly those activities held outside of the school building) and school campuses. Further, notices shall be posted in each school bus and other Board-owned vehicle, including a school van.~~

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**~~4217 WEAPONS~~**

~~But for the exceptions specified below, pursuant to State law, the School Board prohibits District employees from openly carrying a handgun or carrying a concealed weapon or firearm, in a school safety zone, into any elementary or secondary school, administration building, as well as into any Board meeting, any setting that is under the control and supervision of the Board for the purpose of school activities approved and authorized by the Board including, but not limited to, property leased, owned, or contracted for by the Board, a school sponsored event, or in a Board owned vehicle.~~

~~[NOTE: If the Board chooses to exercise its authority pursuant to F.S. 790.115 to exercise its discretionary authority to determine that staff and students will not be permitted to have an unloaded firearm encased within the interior of a private motor vehicle that is parked on property owned, leased, or contracted for by the Board, the following provision should be added at the end of the first paragraph.]~~

~~(-) Furthermore, the Board prohibits District employees from having an unloaded firearm securely encased within the interior of a private motor vehicle when that vehicle is parked on property leased, owned, or contracted for by the Board.~~

**~~[END OF OPTION]~~**

~~Weapons and firearms as defined in F.S. 790.001 and include, but are not limited to, firearms, guns of any type, knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives.~~

~~For purposes of this policy, the term "weapon" also means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons.~~

~~Exceptions to the Board's prohibition from openly carrying a handgun or carrying a concealed weapon or firearm in the school safety zone of any elementary or secondary school, into any administration building, as well as into any Board meeting, any setting that is under the control and supervision of the District for the purpose of school activities approved and authorized by the District including, but not limited to, property leased, owned, or contracted for by the District, any school sponsored event, or in a District vehicle include the following:~~

- ~~A. A person may carry an unloaded firearm in a case to a firearms program, class or function which has been approved in advance by the Principal or site administrator as a program or class to which firearms could be carried.~~
- ~~B. A person may carry an unloaded firearm in a case to a career center having a firearms training range.~~
- ~~C. Police or other licensed law enforcement officers, as well as other persons approved by the school or District on a case by case basis may possess a firearm or weapon.~~

**{OPTION #1}**

~~**{NOTE: If the Board does NOT exercise its authority pursuant to F.S. 790.115 to determine that staff and students are not permitted to have an unloaded firearm encased within the interior of a private motor vehicle that is parked on property owned, leased, or contracted for by the Board, the following provision should be added to the list of exceptions:}**~~

- ~~D. { } A person may have an unloaded firearm securely encased within the interior of a private motor vehicle if the firearm or weapon is carried for a lawful purpose and is not readily available for immediate use.~~

**{END OF OPTION #1}**

**{OPTION #2}**

~~**{NOTE: This option is provided so that the Board can acknowledge, and authorize, the possession and use of tools, instruments, and other devices that may meet the definition of weapons, but are needed in the performance or furtherance of an individual's job requirements.}**~~

- ~~D. { } Staff members, contractors, vendors, or their employees may possess and use tools, instruments, and other devices on District property or at District sponsored events, including in vehicles in either situation, even though such items fall within the definition of weapons, provided that such possession and use is in accordance with the terms of a written contract with the Board, or is otherwise in furtherance of their duties under such a contract and is authorized in advance by the Superintendent.~~

**{END OF OPTION #2}**

~~All District employees shall immediately report knowledge of firearms, weapons, and/or threats of violence by students, staff members, or visitors to the \_\_\_\_\_. Failure to report such knowledge may subject District employees to discipline.~~

~~The Superintendent shall require that any District employee possessing a firearm, weapon, or other device designed to inflict serious bodily harm, including a concealed firearm or weapon, in violation of this policy and State law, is reported immediately to the appropriate law enforcement agency, regardless of whether such District employee possesses a valid concealed weapon license. As well, the staff member shall be subject to disciplinary action, up to and including termination, consistent with law, due process, and the terms of any negotiated agreement.~~

~~{ } The Superintendent shall post notices at each entrance of a school and/or school building and in areas inside the building where visitors are required to report prohibiting an individual from openly carrying a handgun or carrying a concealed weapon or firearm in a school safety zone, including schools and school buildings, on school premises and school buses, and at school activities. Such notices shall also be posted at each entrance leading into a school activity (particularly those activities held outside of the school building) and school campuses. Further, notices shall be posted in each school bus and other Board owned vehicle, including a school van.~~



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**Revised Policy - Special Upd., Sept. 2023**

**5772 - WEAPONS**

Pursuant to State law, the School Board prohibits students from openly carrying a handgun or carrying a concealed weapon or ~~concealed~~ firearm, in a school safety zone, ~~into~~ any elementary or secondary school facility, ~~into~~ any administration building, as well as into any Board meeting, any setting that is under the control and supervision of the District for the purpose of school activities approved and authorized by the District including, but not limited to, property leased, owned, or contracted for by the District, a school-sponsored event, a school bus, a school bus stop, or in a District vehicle.

**Definitions**

For purposes of this policy, the following definitions shall apply:

- A. "Administration building" is any Board-owned or leased facility where one (1) or more administrative employees are assigned.
- B. "School property" means the property of any preschool, elementary school, middle school, junior high school, secondary school, career center, or postsecondary school, whether public or nonpublic.
- C. "Weapons and firearms" as defined in F.S. 790.001 and include, but are not limited to, any weapon which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive, knives, metallic knuckles, or other deadly weapon. "Weapon" also means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons.

~~Weapons and firearms as defined in F.S. 790.001 and include, but are not limited to, firearms, guns of any type, knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives.~~

~~For purposes of this policy, the term "weapon" also means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons.~~

This policy shall also encompass such actions as look-alike items, false fire alarms, bomb threats, or intentional calls to falsely report a dangerous condition.

] The Superintendent is authorized to establish administrative procedures on weapons which require students to immediately report knowledge of weapons and threats of violence by students  ] and staff ~~[END OF OPTION]~~ to the building principal. Failure to report such knowledge may subject the student to immediate suspension and potential expulsion from school. ~~[END OF OPTION]~~

### **Exceptions**

~~The only exceptions to the Board's prohibition prohibitions set forth hereinabove from openly carrying a handgun or carrying a concealed weapon or firearm in the school safety zone of any elementary or secondary school, into any administration building, as well as into any Board meeting, any setting that is under the control and supervision of the District for the purpose of school activities approved and authorized by the District including, but not limited to, property leased, owned, or contracted for by the District, any school sponsored event, or in a District vehicle include the following:~~

- A. A student may carry an unloaded firearm in a case to a firearms program, class, or function which has been approved in advance by the Principal or site administrator as a program or class to which firearms could be carried.
- B. A student ~~eighteen (18) years of age or older~~ may carry an unloaded firearm in a case to a career center having a firearms training range.
- C. Police or other licensed law enforcement officers, as well as students enrolled in the District's Junior ROTC Program while under the direct supervision of District staff members, may possess a firearm or weapon.
- D. ~~In a vehicle pursuant to F.S. 790.25(4).~~

~~[NOTE: If the Board chooses to exercise its authority pursuant to F.S. 790.115 to waive this exception for purposes of student and campus parking privileges the following should be added at the end of this exception:]~~

) This exception does not apply for purposes of student and campus parking privileges.

~~[DRAFTING NOTE: Districts must be aware of the specific provisions of F.S. 790.25(4) related to legally possessing a firearm, handgun, or weapon in a vehicle. For ease of reference, F.S. 790.25(4) provides as follows:~~

#### ~~(4) POSSESSION IN PRIVATE CONVEYANCE. --~~

~~(a) Notwithstanding s. 790.01, a person 18 years of age or older who is in lawful possession of a handgun or other weapon may possess such a handgun or weapon within the interior of a private conveyance if the handgun or weapon is securely encased or otherwise not readily accessible for immediate use. A person who possesses a handgun or other weapon as authorized under this paragraph may not carry the handgun or weapon on his or her person.~~

~~(b) This subsection does not prohibit a person from carrying a:~~

- 1. ~~Legal firearm other than a handgun anywhere in a private conveyance when such firearm is being carried for a lawful use; or~~
- 2. ~~Concealed weapon or concealed firearm on his or her person while in a private conveyance if he or she is authorized to carry a concealed weapon or concealed firearm under s. 790.01(1).~~

~~(c) This subsection shall be liberally construed in favor of the lawful use, ownership, and possession of firearms and other weapons, including lawful self-defense as provided in s. 776.012.~~

~~END OF DRAFTING NOTE]~~



- E.  Items pre-approved by the building principal as part of a class or individual presentation or a theatrical prop used under adult supervision, if used for the purpose and in the manner approved, would be an exception to this policy. (Working firearms and any ammunition will never be approved as part of a presentation.)

~~**[NOTE: choose this option only if the Board has chosen not to exercise its authority to prohibit staff and students from having unloaded firearms in their motor vehicles that are parked on school property.]**~~

- F.  ~~A student eighteen (18) years of age or older may have an unloaded firearm securely encased within the interior of a private motor vehicle if the firearm or weapon is carried for a lawful purpose and is not readily available for immediate use.~~

The Superintendent will refer any student who violates this policy to the student's parents or guardians and to the criminal justice or juvenile delinquency system. The student may also be subject to disciplinary action, up to and including expulsion.

The Superintendent shall post notices at each entrance of a school and/or school building and in areas inside the building where visitors are required to report ~~prohibiting an individual from~~ **regarding the prohibitions of** openly carrying a handgun or carrying a concealed weapon or **concealed** firearm in a school safety zone, including schools and school buildings, on school premises and school buses, and at school activities. Such notices shall also be posted at each entrance leading into a school activity (particularly those activities held outside of the school building) and school campuses. Further, notices shall be posted in each school bus and other Board-owned vehicle, including a school van. **[END OF OPTION]**





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[F.S. 1006.07](#)  
[18 U.S.C. 922](#)

**7217 - WEAPONS NOTE: This draft includes changes from both the Vol. 24, No. 1 Update and the Special Update in September 2023.**

But for the exceptions specified below, pursuant to State law, the School Board prohibits visitors and District employees from openly carrying a handgun or carrying a concealed weapon or concealed firearm, in the school safety zone, offor any elementary or secondary school facility, into any administration building, as well as into any Board meeting, any setting that is under the control and supervision of the District for the purpose of school activities approved and authorized by the District including, but not limited to, property leased, owned, or contracted for by the District, any school-sponsored event, a school bus, a school bus stop, or in a District vehicle.

**Definitions**

For purposes of this policy, the following definitions shall apply:

- A. "Administration building" is any Board-owned or leased facility where one (1) or more administrative employees are assigned.
- B. "School property" means the property of any preschool, elementary school, middle school, junior high school, secondary school, career center, or postsecondary school, whether public or nonpublic.
- C. "Weapons and firearms" as defined in F.S. 790.001 and include, but are not limited to, any weapon which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive, knives, metallic knuckles, or other deadly weapon. "Weapon" also means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons.

~~The term "weapon" means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited to, firearms, guns of any type, including air and gas powered guns (whether loaded or unloaded), knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives. (F.S. 790.001)~~

The Superintendent shall refer a visitor who violates this policy to law enforcement officials and may take any necessary steps to exclude the visitor from District property and District sponsored events, regardless of whether such visitor possesses a valid concealed weapon license.

## Exceptions

The only exceptions to the Board's prohibition from openly carrying a handgun or carrying a concealed weapon or firearm, in the school safety zone of any elementary or secondary school, into any administration building, as well as into any Board meeting, any setting that is under the control and supervision of the District for the purpose of school activities approved and authorized by the District including, but not limited to, property leased, owned, or contracted for by the District, any school sponsored event, or in a District vehicle prohibitions set forth herein above include the following:

- A. Members of the Armed Forces, National Guard, police or other licensed law enforcement officers, as well as other persons approved by the school or District on a case-by-case basis, may possess a firearm or weapon.
- B. A person may have an unloaded firearm securely encased within the interior of a private motor vehicle if the firearm or weapon is carried for a lawful purpose and is not readily available for immediate use. In a vehicle pursuant to F.S. 790.25(4).

This exception does not apply to adult students or to employees who park their vehicle on property leased, owned, or contracted for by the Board for purposes of student and campus parking privileges.

- C. **[DRAFTING NOTE: Districts must be aware of the specific provisions of F.S. 790.25(4) related to legally possessing a firearm, handgun, or weapon in a vehicle. For ease of reference, F.S. 790.25(4) provides as follows:**

### **(4) POSSESSION IN PRIVATE CONVEYANCE.—**

**(a) Notwithstanding s. 790.01, a person 18 years of age or older who is in lawful possession of a handgun or other weapon may possess such a handgun or weapon within the interior of a private conveyance if the handgun or weapon is securely encased or otherwise not readily accessible for immediate use. A person who possesses a handgun or other weapon as authorized under this paragraph may not carry the handgun or weapon on his or her person.**

**(b) This subsection does not prohibit a person from carrying a:**

- D.
  - 1. **Legal firearm other than a handgun anywhere in a private conveyance when such firearm is being carried for a lawful use; or**
  - 2. **Concealed weapon or concealed firearm on his or her person while in a private conveyance if he or she is authorized to carry a concealed weapon or concealed firearm under s. 790.01(1).**

E.

**(c) This subsection shall be liberally construed in favor of the lawful use, ownership, and possession of firearms and other weapons, including lawful self-defense as provided in s. 776.012.**

### **END OF DRAFTING NOTE]**

- F. **C.** A person may carry an unloaded firearm in a case to a firearms program, class or function which has been approved in advance by the Principal or site administrator as a program or class to which firearms could be carried.
- G. **D.** A person may carry an unloaded firearm in a case to a career center having a firearms training range.
- H. **E.** Staff members, contractors, vendors, or their employees may possess and use tools, instruments, and other devices on District property or at District-sponsored events, including in vehicles in either situation, even though such items fall within the definition of weapons, provided that such possession and use is in accordance with the terms of a written contract with the Board, or is otherwise in furtherance of their duties under such a contract and is authorized in advance by the Superintendent.

All District employees shall immediately report knowledge of firearms, weapons, and/or threats of violence by students, staff members, or visitors to the . Failure to report such knowledge may subject District employees to discipline.

The Superintendent shall require that any District employee possessing a firearm, weapon, or other device designed to inflict serious bodily harm, including a concealed firearm or weapon, in violation of this policy and State law, is reported immediately to the appropriate law enforcement agency, regardless of whether such District employee possesses a valid concealed weapon license. As well, the staff member shall be subject to disciplinary action, up to and including termination, consistent with law, due process, and the terms of any negotiated agreement.

The Superintendent shall refer a visitor who violates this policy to law enforcement officials and may take any necessary steps to exclude the visitor from District property and District-sponsored events, regardless of whether such visitor possesses a valid concealed weapon license.

### **Concealed Weapon or Firearm**

A person may be in lawful possession of a concealed weapon or firearm on School Board property with certain exceptions; a concealed weapon or firearm may not be carried:

- A. into any District elementary or secondary school facility or career center;
- B. into an administration building as defined below;
- C. into an athletic event that is not related to firearms; or
- D. into a Board meeting.

For purposes of this policy the term "administration building" is any Board-owned or leased facility where one or more administrative employees are assigned.

For the purposes of this policy, "school property" means the property of any preschool, elementary school, middle school, junior high school, secondary school, career center, or postsecondary school, whether public or nonpublic.

The Superintendent shall post notices at each entrance of a school and/or school building and in areas inside the building where visitors are required to report prohibiting an individual from regarding the prohibitions of openly carrying a handgun or carrying a concealed weapon or concealed firearm in a school safety zone, including schools and school buildings, on school premises and school buses, and at school activities. Such notices shall also be posted at each entrance leading into a school activity (particularly those activities held outside of the school building) and school campuses. Further, notices shall be posted in each school bus and other Board-owned vehicle, including a school van.





Book	Policy Manual
Section	Sept. 2023 Revisions
Title	SCHOOL-TO-WORK PROGRAM
Code	*po2423 TECHNICAL CHANGE am 10-24-23
Status	
Legal	F.A.C. 6A-23.0042, Work-Based Learning Standards <a href="#">F.S. 446.54</a> <a href="#">F.A.C. 6A-6.055</a>
Adopted	October 10, 2022

#### 2423 - **SCHOOL-TO-WORK PROGRAM**

The School Board strongly supports the School-to-Work Opportunities Act as a vehicle to help the District to prepare students more effectively for the world of work. Through this legislation, the District will be able to provide students with the following learning experiences needed to develop career-related knowledge, attitudes, and skills as well as life-long learning skills:

- A. School-based learning which includes career awareness, exploration, and counseling and the integration of academic and vocational learning.
- B. Work-based learning which provides students with a planned program of job training and/or various types of work experiences that are coordinated with school-based learning.
- C. Connecting activities which are designed to ensure that there is effective correlation and coordination between what students learn in school and what they learn at worksites.

The Superintendent is authorized to design and implement school-to-work activities and programs, both independently for this District and in cooperation with other districts, that create the three (3) types of learnings described above. In addition, s/he should take the steps necessary to implement Board Policy 9555 - Partnerships with Business and also ensure that the District is participating actively in alliances, consortia, and/or committees that are coordinating school-to-work initiatives in this area.

As appropriate to a particular program initiative, the Superintendent may request waivers from the State on certain statutory or regulatory provisions that are contained in the Elementary and Secondary Education Act and the Carl D. Perkins Vocational and Applied Technology Act.

Unpaid students interning or getting workplace experience as part of an education program will be considered employees of the District for worker's compensation purposes.







Book	Policy Manual
Section	Sept. 2023 Revisions
Title	Copy of New Policy - Vol. 24, No. 1, July 2023 - TEACHERS' BILL OF RIGHTS
Code	*po3700 am 10-23-23 EMT 01/07/2023
Status	
Legal	F.S. 1015.01 F.S. 1015.02 F.S. 1015.03 F.S. 1015.04 F.S. 1015.05 F.S. 1015.06

### New Policy - Vol. 24, No. 1

~~DRAFTING NOTE: This The School Board is not currently required to adopt a policy directly in response to the provisions of the Florida's Teachers' Bill of Rights or related administrative rules. However, this policy is offered to clients that desire to provide information to instructional personnel as to their rights under these new laws and rules. Moreover, this policy provides notice to the Board and various District administrators as to their duties and responsibilities under the same laws and rules is entirely optional and is. The policy includes the following: (1) a restatement of the rights afforded to teachers in F.S. 1015.01 through 1015.06; and, (2) provisions related to F.A.C. 6A-1.094127 (Special Magistrate for Teacher Empowerment).]~~

### 3700 - TEACHERS' BILL OF RIGHTS

Pursuant to F.S. 1015.01 through 1015.06, teachers' rights include, but are not limited to, the following:

#### A. Rights of Employment

1. Pursuant to F.S. 447.301 and s. 6., Art. I of the State Constitution, the right of public employees, including teachers, to work may not be denied or abridged on account of membership or non-membership in any labor union.
2. A teacher, except in cases of excessive force or cruel and unusual punishment, may not be held civilly or criminally liable for actions carried out in conformity with State Board of Education rules. Pursuant to F.S. 1012.75, a teacher shall have access to liability coverage, subject to the General Appropriations Act, through the educator liability insurance program.

Pursuant to F.S. 1012.26, a teacher may receive a reimbursement of reasonable expenses for legal services from the District if the teacher is charged with civil or criminal actions arising out of and in the course of the performance of assigned duties and responsibilities.

3. All students and public K-20 educational institution employees, including teachers, have the right to be free from discrimination in public K- 20 educational institutions.

4. Pursuant to F.S. 1012.56, teachers must be provided multiple pathways to earn an educator certificate.

#### **B. Right to Continuing Education**

1. Teachers are guaranteed a coordinated system of professional development with the goals of increasing student achievement, enhancing classroom instruction, and preparing students for continuing their education or joining the workforce. Pursuant to F.S. 1012.98, the Florida Department of Education, public postsecondary educational institutions, public school districts, public schools, State education foundations, consortia, and professional organizations must work collaboratively to provide a coordinated system of professional development.
2. Pursuant to F.S. 1009.26(10), teachers employed by the District may receive a waiver for tuition and fees for up to six (6) credit hours per term at a State university or Florida College System institution.

#### **C. Right to Control the Classroom**

1. In accordance with State Board rules and general law, a teacher has the authority to control and discipline students in their classroom and in other places in which the teacher is assigned to be in charge of students. Pursuant to F.S. 1003.32 and in order to provide an orderly and safe learning environment for students, a teacher may:
  - a. establish classroom rules of conduct.
  - b. establish and implement consequences, which are designed to change behavior, for infractions of classroom rules of conduct.
  - c. have disobedient, disrespectful, violent, abusive, uncontrollable, or disruptive students removed from the classroom for behavior management intervention.
  - d. have violent, abusive, uncontrollable, or disruptive students directed to appropriate school or School Board personnel for information and assistance.
  - e. assist in enforcing school rules on school property, during school-sponsored transportation, and during school-sponsored activities.
  - f. request and receive information relating to the disposition of any referrals to administration for a violation of classroom rules of conduct or school rules.
  - g. request and receive immediate assistance in classroom management if a student becomes uncontrollable or in the case of an emergency.
  - h. request and receive training and other assistance to improve their skills in classroom management, violence prevention, conflict resolution, and related areas.
  - i. press charges if there is a reason to believe that a crime has been committed on school property, during school-sponsored transportation, or during school-sponsored activities.
  - j. use reasonable force, according to standards adopted by the State Board, to protect themselves or others from injury.
2. For purposes of this section, in cases in which a teacher faces litigation or professional practices sanctions for an action taken pursuant to Paragraph (1), there is a rebuttable presumption that a teacher was taking necessary action to restore or maintain the safety or educational atmosphere of their classroom.

#### **D. Right to Direct Classroom Instruction**

1. In accordance with general law and State Board of rules, a teacher has the right to direct the teacher's classroom instruction. If a teacher is directed by the District or school to violate general law or State Board rules, the teacher may request that the Florida Commissioner of Education appoint a special magistrate who is a member of the Florida Bar in good standing and who has at least five (5) years' experience in administrative law. The special magistrate shall determine facts relating to the dispute over the District procedure or practice, consider information provided by the teacher and the District, and render a recommended decision for resolution to the State Board within thirty (30) days after receipt of the request by the teacher.

The State Board must approve or reject the special magistrate's recommended decision at its next scheduled

board meeting. The costs of the special magistrate must be borne by the District.

If the District is found in violation of general law or State Board rules, the State Board may withhold the salary of the superintendent until the violation is corrected.

2. Pursuant to F.S. 1008.25, a teacher has the right to receive student assessment data in a timely manner in order to assist in instruction.

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Book Vol. 24, No. 2, Nov. 23 REVISED  
Section 5000 Students  
Title HOMELESS STUDENTS  
Code po5111.01 am 10.24.23, 1-8-24  
Status  
Legal [F.S. 743.067](#)  
[F.S. 1003.01](#)  
[F.S. 1003.21](#)  
[F.S. 1003.22](#)  
[F.S. 1009.21](#)  
[F.S. 1009.25](#)  
[F.A.C. 6A-10.088](#)  
[42 U.S.C. 11431 et seq.](#)  
Adopted October 10, 2022  
Last Revised April 13, 2023

**Revised Policy - Special Upd., Sept. 2023 and Vol. 24, No2, Nov. 23**

**5111.01 - HOMELESS STUDENTS**

**Definitions**

Children and youth who are identified as meeting the Federal definition of "homeless" will be provided a free appropriate public education (FAPE) (including a public preschool education) in the same manner as all other students of the District and other services needed to provide equal opportunity to meet the same challenging State academic standards to which all students are held. To that end, homeless students will not be stigmatized or segregated on the basis of their status as homeless. The District shall establish safeguards that protect homeless students from discrimination on the basis of their homelessness. The District shall regularly review and revise its policies, including school discipline policies that impact homeless students, including those who may be a member of any of the protected classes (Policy 2260 - *Nondiscrimination and Access to Equal Educational Opportunity*).

This policy and AP 5111.01, *Homeless Students (Role of the Liaison)*, are designed to identify students experiencing homelessness and to refer such students and their families for services available through the McKinney-Vento Act and services provided by local community social service entities.

**Definitions**

~~Homeless children and youth, including "certified homeless youth" under~~ Students experiencing homelessness" pursuant to State law, are defined as means individuals who lack a fixed, regular, and adequate nighttime residence, (as defined in 42 U.S.C. Section 11432) and include children and youth who meet any of the following criteria:

- A. share the housing of other persons due to loss of housing, economic hardship, or similar reason; children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
- B. live in motels, hotels, trailer parks, or camping grounds due to a lack of alternative adequate accommodations; children and youth who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- C. live in emergency or transitional shelters; children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- D. are abandoned in hospitals; migratory children who are living in circumstances described in A through C above.
- E. have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings, or
- F. live in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting.

"Unaccompanied homeless youth" means a child or youth whose living arrangement qualifies as homeless under the definitions above and who is not in the physical custody of a parent or guardian.

**NOTE:** According to nonregulatory, non-regulatory guidance from the U.S. Department of Education (ED), standards for adequate housing may vary by locality. Please see *Education for Homeless Children and Youth Programs, Non-Regulatory Guidance*, U.S. Department of Education (ED), for factors to consider when determining whether a child or youth is living in "substandard housing". For purposes of whether a child or youth resides in "substandard housing," the District may consider whether the setting in which the family, child, or youth is living lacks one (1) of the fundamental utilities such as water, electricity, or heat; is infested with vermin or mold; lacks a basic functional part such as a working kitchen or a working toilet; or may present unreasonable dangers to adults, children, or persons with disabilities. **NOTE:** According to nonregulatory guidance from the U.S. Department of Education (ED), standards for adequate housing may vary by locality. Please see *Education for Homeless Children and Youth Programs, Non-Regulatory Guidance*, U.S. Department of Education (ED), for factors to consider when determining whether a child or youth is living in "substandard housing".

Pursuant to the McKinney-Vento Act, an unaccompanied youth includes a homeless child or youth and not in the physical custody of a parent or guardian. Under State law an unaccompanied homeless youth who is sixteen (16) years of age or older and found to be an unaccompanied homeless youth eligible for services under Federal law shall be issued a certificate by the District's McKinney-Vento Liaison for Homeless Children on District letterhead documenting their status which is to be accepted by medical providers and the courts.

Additionally, pursuant to Federal and State law, children or youth who are experiencing homelessness also include migratory children who are living in circumstances described in A-FD above.

### Questionnaire(s)

The District shall create and utilize a student housing questionnaire(s) to be used in all public schools, including charter schools, to identify students who are experiencing homelessness and who may be eligible for services under the McKinney-Vento Act. The following requirements apply:

- A. A student housing questionnaire must be provided to parents, guardians, and unaccompanied homeless youth at least once annually and whenever there is evidence that a student may be experiencing homelessness throughout the school year.
- B. A student housing questionnaire must be included in the annual school enrollment packet.
- C. A student housing questionnaire may be distributed or returned electronically, but it must be available in hard copy, if requested.

Beginning July 1, 2024, any student housing questionnaire will prominently explain that the purpose of the form is to identify students and families who may be eligible for services in the school or local community. In addition, the questionnaire will request the following information:

- A. student's name (first name, middle initial, last name);
- B. student's birth date;

- C. student's school and grade;
- D. names, birthdates, school, and grade for each additional child or youth in the household;
- E. parent's or guardian's name;
- F. street address;
- G. length of time at current address;
- H. former address;
- I. parent's, guardian's, or unaccompanied homeless youth's phone number;
- J. parent's, guardian's, or unaccompanied homeless youth's signature and date of signature;
- K. selection of nighttime residence type, using the residences defined in the "Homeless Student, PK-12" data element in F.A.C. 6A-1.0014;
- L. selection if the student is an unaccompanied homeless youth, as defined in 42 U.S.C. Section 11434(a)(6);
- M. selection of homelessness cause, using the causes defined in the "Homelessness Cause" data element in F.A.C. 6A-1.0014.

### Services to Homeless Children and Youth

The District will provide services to homeless students that are comparable to other students in the District, including:

- A. transportation services (Policy 8600 - *Transportation*);
- B. public preschool programs and other educational programs and services for which the homeless student meets eligibility criteria including:
  - 1. programs for children with disabilities (Policy 2460 - *Exceptional Student Education*)
  - 2. programs for English learners (ELs) (i.e., students with Limited English Proficiency (LEP)) (Policy 5780 - *Student/Parent Rights*);
  - 3. programs in career and technical education (Policy 2421 - *Career and Technical Education*);
  - 4. programs for gifted and talented students (Policy 2460 - *Exceptional Student Education*; Policy 5780 - *Student/Parent Rights*);
  - 5. school nutrition programs (Policy 5335.01 - *Diet Modifications*; Policy 8500 - *Food Service Program*; Policy 8510 - *Wellness*; Policy 8531 - *Free and Reduced-Price Meals*);
  - 6. before - and after-school programs (( ) Policy 2262V1 - *Latchkey Program*; ( ) Policy 2262V2 - *School-Age Child Care*); and
  - 7. Title I programs (Policy 2261 - *Title I Services*; Policy 2261.01 - *Parent Participation in Title I Programs*; Policy 2261.02 - *Title I - Parents' Right to Know*).

The Superintendent will appoint a McKinney-Vento Liaison for Homeless Children who will perform the duties as assigned by the Superintendent, including those required under F.A.C. 6A-10.088. Additionally, the Liaison will:

- A. coordinate District programs;
- B. collaborate with other school districts, community services providers, and organizations, including:
  - 1. local social services and other community agencies to provide support to homeless students and their families;
  - 2. other school districts regarding homeless student-related transportation, transfer of school records, and other inter-District activities as needed; and

### 3. housing authorities.

- C. collaborate with the State Coordinator for the Education of Homeless Children and Youth and school personnel responsible for the provision of education and related services to homeless children and youths, including exceptional student education needs. For more information on the role of the Liaison, refer to AP 5111.01.

Unaccompanied homeless high school youth will receive counseling to prepare and improve their readiness for postsecondary education.

#### **School Stability**

Maintaining a stable school environment is crucial to a homeless student's success in school. An "eligible school" is the school of origin, the school zoned for the address where the student is temporarily residing, or another school which students residing in that attendance zone are eligible to attend. To ensure stability, the District must make school placement determinations based on the "best interest" of the homeless child or youth based on student-centered factors. The District must:

- A. continue the student's education in the school of origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year; and for the remainder of the academic year even if the child or youth becomes permanently housed during an academic year and continued to receive all McKinney-Vento Act benefits; or
- B. enroll the student in any public school that non-homeless students who live in the attendance area in which the child or youth, or the family of the child or youth, is actually living are eligible to attend.

When determining a child or youth's best interest, the District must assume that keeping the homeless student in the school of origin is in that student's best interest, except when doing so is contrary to the request of the student's parent or guardian, or the student if they are an unaccompanied youth. The school of origin is the school the student attended when permanently housed or the school at which the student was last enrolled, including a public preschool. The school of origin also includes the designated receiving school at the next level for feeder school patterns, when the student completes the final grade level at the school of origin.

When determining the student's best interest, the District must also consider student-centered factors, including the impact of mobility on achievement, education, health, and safety of homeless students and give priority to the request of the student's parent or guardian, or youth (if an unaccompanied youth). The District also considers the school placement of siblings when making this determination.

If the District finds that it is not in the student's best interest to attend the school of origin or the school requested by the parent or guardian, or unaccompanied youth, the District must provide the individual with a written explanation and reason for the determination in a manner and form understandable to the parent, guardian or unaccompanied youth. This written explanation will include appeal rights and be provided in a timely manner.

#### **Immediate Enrollment**

The District has an obligation to remove barriers to the enrollment and retention of homeless students. Enroll and enrollment include attending classes and participating fully in school activities. If a school other than the student's school of origin is chosen on the basis of a best interest determination, the homeless student must be immediately enrolled, even if the student does not have the documentation typically necessary for enrollment, such as immunization and other required health records, proof of residency, proof of guardianship, birth certificate, or previous academic records. The homeless student must also be enrolled immediately regardless of whether the student missed application or enrollment deadlines during the period of homelessness, fails to meet uniform or dress code requirements, or has outstanding fines or fees. Students must be provided appropriate credit for full or partial coursework satisfactorily completed by homeless children and youth while attending a prior school.

The enrolling school must immediately contact the school last attended by the homeless student to obtain relevant academic or other records. If the student needs immunization or other health records, the enrolling school must immediately refer the parent, guardian or unaccompanied youth to the Liaison, who will help obtain the immunizations, screenings or other required health records. Records usually maintained by the school must be kept so that they are available in a timely fashion if the child enters a new school or district. These records include immunization or other required health records, academic records, birth certificates, guardianship records, and evaluations for special services or programs. Procedures for inter-State records transfer between schools should be taken into account in order to facilitate immediate enrollment.

In addition, it shall be the District's responsibility to make sure that, once identified for services, the homeless student is attending classes and not facing barriers to accessing academic and extra-curricular activities for which they meet relevant eligibility criteria, including magnet school, summer school, career and technical education, advanced placement, online



learning, and charter school programs (if available).

### **Transportation**

The District shall promptly provide homeless students with transportation services that are comparable to those available to non-homeless students. At the request of the parent or guardian, or the liaison in the case of an unaccompanied youth, the District shall provide, or arrange for, transportation to and from the student's school of origin.

- A. If the homeless student continues to live in the District, transportation shall be provided, or the District shall arrange for the student's transportation, to/from their school of origin.
- B. If the homeless student resides in another school district, but the best interest determination is that the student should continue their education at the school of origin in the District, the District and the school district in which the student now resides shall agree upon a method to equitably apportion responsibility and costs for transportation to the school of origin.

If there is not agreement, the District shall assume responsibility to transport the student from the district of residence to the school of origin in the District. Since Federal law requires that the responsibility and costs to be shared equally, the district of residence shall be invoiced for their share of the cost for transportation.

- C. If the homeless student resides in the District, but the best interest determination is that the student should continue their education at the school of origin in another district, the District and the school district in which the student's school of origin is located shall agree upon a method to equitably apportion responsibility and costs for transportation to the school of origin.

If there is no agreement, the District shall assume responsibility to transport the student to the school of origin in the other district. Since Federal law requires the responsibility and costs for transportation services to be shared equally, the district in which the school or origin is located shall be invoiced for their share of the cost for transportation.

- D. When the student obtains permanent housing, transportation shall be provided to and from the school of origin until the end of the school year.

The mode of transportation shall be determined in consultation with the parent or guardian and shall be based on the best interest of the student.

In accordance with Federal law, the above transportation requirements still apply during the resolution of any dispute. The District will work with the State to resolve transportation disputes with other districts. Until the Districts reach agreement, the responsibility and costs for transportation shall be shared equally costs for transportation are to be shared equally.

If the disputing district is in another State, the District will turn to the State for assistance as Federal guidance says that both states should try to arrange an agreement for the districts.

### **Dispute Resolution**

Homeless families and youths have the right to challenge placement and enrollment decisions. If a dispute arises between a school and a parent, guardian or unaccompanied youth regarding eligibility, school selection, or enrollment of a homeless student, the District must follow its dispute resolution procedures, consistent with the State's procedures. If such a dispute occurs, the District will immediately enroll the homeless student in the school in which enrollment is sought pending final resolution of the dispute, including all appeals. The student will receive all services for which they are eligible until all disputes and appeals are resolved.

Pursuant to Federal and State law, State Board rule, and this policy, the District will provide the parent, guardian, or unaccompanied youth with a written explanation of all decisions regarding school selection and enrollment made by the District, along with a written explanation of appeal rights.

The District's notice and written explanation about the reason for its decision will include, at a minimum, an explanation of how the school reached its decision regarding eligibility, school selection, or enrollment, including the following:

- A. a description of the proposed or refused action by the school;
- B. an explanation of why the action is proposed or refused;
- C. a description of other options the school considered and why those options were rejected;

D. a description of any other relevant factors to the school's decision and information related to the eligibility or best interest determination such as the facts, witnesses, and evidence relied upon and their sources; and

E. an appropriate timeline to ensure deadlines are not missed.

The District's notice and written explanation shall include contact information for the Liaison and the State Coordinator, and a brief description of the roles of each. The District's notice and written explanation shall also inform the parent, guardian, or unaccompanied youth that the Liaison is responsible for providing information describing the State-level dispute resolution process and distributing the appropriate forms to all parties wanting to file an appeal.

To initiate the State-level appeals process, within ten (10) working days after receiving written notification of the District-level or inter-district decision, the parent, guardian, or unaccompanied youth may file an appeal with the Liaison, who must provide it to FLDOE. Upon receipt of an appeal, the Liaison is required to notify FLDOE of the State-level appeal and provide that appeal to the FLDOE. The local liaison also must log incidents of State-level appeals in the FLDOE Online Dispute Resolution Tracking System.

The FLDOE and the Commissioner of Education will render a decision on any appeal and provide a copy of such decision to the parties.

All decisions and notices shall be drafted in a language and format appropriate for low-literacy, limited vision readers, and individuals with disabilities.

For children and youth and/or parents or guardians who are English learners or whose dominant language is not English, the District will provide translation and interpretation services in connection with all phases of the dispute resolution process pursuant to Federal laws.

The District will also provide electronic notices via email if the parent, guardian or unaccompanied youth has access to email followed by a written notice provided in person or sent by mail.

### **Homeless Children in Preschool**

Homeless preschool-aged children and their families shall be provided equal access to the educational services for which they are eligible, including preschool programs, including Head Start programs, administered by the District. Additionally, the homeless child must remain in the public preschool of origin, unless a determination is made that it is not in the child's best interest. When making such a decision on the student's best interest, the District takes into account the same factors as it does for any student, regardless of age. It also considers pre-school age specific factors, such as 1) the child's attachment to preschool teachers and staff; 2) the impact of school climate on the child, including school safety; the quality and availability of services to meet the child's needs, including health, developmental, and social-emotional needs; and 3) travel time to and from school.

The District must also provide transportation services to the school of origin for a homeless child attending preschool. It is the District's responsibility to provide the child with transportation to the school of origin even if the homeless preschooler who is enrolled in a public preschool in the District moves to another district that does not provide widely available or universal preschool.

### **Public Notice**

In addition to notifying the parent or guardian of the homeless student or the unaccompanied youth of the applicable rights described above, the District shall post public notice of educational rights of children and youth experiencing homelessness in each school. In addition, the District shall post public notice of the McKinney-Vento rights in places that homeless populations frequent, such as shelters, soup kitchens, and libraries in a manner and form understandable to the parents and guardians and unaccompanied youths.

### **Records**

The local liaison will assist the homeless students and their parent(s) or guardian(s) or unaccompanied homeless students in their efforts to provide documentation to meet State and local requirements for entry into school.

All records for homeless students shall be maintained, subject to the protections of the Family Educational Rights and Privacy Act (FERPA) and Policy 8330, and in such a manner so that they are available in a timely fashion and can be transferred promptly to the appropriate parties, as required. Pursuant to the McKinney-Vento Act, information regarding a homeless student's living situation is not considered directory information, is held confidential, and must be provided the same protections as other non-directory personally identifiable information (PII) contained in student education records under FERPA. The District shall incorporate practices to protect student privacy as described in AP 5111.01, AP 8330, and in accordance with the provisions of the Violence Against Women Act (VAWA) and the Family Violence Prevention and Services Act (FVPSA).

No Board policy, administrative procedure, or practice will be interpreted or applied in such a way as to inhibit the enrollment, attendance, or school success of homeless children.

### **Annual and Other Reporting Requirements**

By August 1st of each year, the District will submit the Florida McKinney-Vento Program District Contact Directory and Listserve Update utilizing the appropriate FLDOE form. The District will also report information on students experiencing homelessness to the FLDOE during the survey periods and use the elements set forth in F.A.C. 6A-1.0014.

The School District will notify the Florida McKinney-Vento Program within ten (10) school days of a change in assignment of or contact information for the District liaison.

F.S. 743.067

F.S. 1003.01

F.S. 1003.21

F.S. 1003.22

F.S. 1009.21

F.S. 1009.25

F.A.C. 6A-10.088

42 U.S.C. 11431 et seq.

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Book	Policy Manual
Section	Sept. 2023 Revisions
Title	PROMOTION, ACCELERATION, PLACEMENT, AND RETENTION
Code	po5410.01 am 10.24.23
Status	
Legal	<a href="#">F.S. 1002.3105</a> <a href="#">F.S. 1003.02</a> <a href="#">F.S. 1003.4156</a> <a href="#">F.S. 1008.22</a> <a href="#">F.S. 1008.25</a> <a href="#">F.A.C. 6A-1.09422</a> <a href="#">F.A.C. 6A-1.094221</a> <a href="#">F.A.C. 6A-1.094222</a>
Adopted	October 10, 2022
Last Revised	January 9, 2023

**Revised Policy - Special Upd., Sept. 2023**

**5410.01 - PROMOTION, ACCELERATION, PLACEMENT, AND RETENTION**

The School Board recognizes that the personal, social, physical, and educational growth of children will vary and that they should be placed in the educational setting most appropriate to their needs at the various stages of their growth.

The Board shall provide for the placement, acceleration, and progression of students through adopted student progression plans. The District student progression plan includes the standards for evaluating each student's performance, including how well s/he masters the performance standards approved by the State Board of Education. A student will be promoted to the succeeding grade level when s/he has demonstrated sufficient proficiency to permit him/her to move ahead in the educational program of the next grade.

Parents may request student participation in Academically Challenging Curriculum to Enhance Learning (ACCEL) options, including whole grade promotion, midyear promotion or subject matter acceleration. If the parent selects one of these ACCEL options and the student meets eligibility and procedural requirements in the student progression plan, the student will have the opportunity to participate in the ACCEL option.

No student may be assigned to a grade level based solely on age or other factors that constitute social promotion. (F.S. 1008.25(6)(a))

**Progress Monitoring Plans and Remediation**

Each student must participate in the Statewide standardized assessment program that is required by F.S. 1008.22. Each student who does not achieve a Level 3 or above on Statewide standardized English language arts assessment; the Statewide standardized mathematics assessment; or the Algebra I end-of-course (EOC) assessment must be evaluated to

determine the nature of the student's difficulty, the areas of academic need, and strategies for providing academic supports to improve the student's performance.

Beginning in the 2022-2023 school year, the end-of-year comprehensive progress monitoring assessment administered pursuant to F.S. 1008.25(9)(b)2. is the Statewide standardized English Language Arts assessment for students in grades 3 through 10 and the Statewide standardized Mathematics assessment for students in grades 3 through 8.

A student who is not meeting the District or State requirements for satisfactory performance in English language arts and mathematics must be covered by one (1) of the following plans:

- A. a Federally required student plan such as an individual education plan;
- B. a schoolwide system of progress monitoring for all students, except a student who scores Level 4 or above on the English language arts and mathematics assessments may be exempted from participation by the principal; or
- C. an individualized progress monitoring plan.

Any student who has a substantial reading and/or substantial mathematics deficiency as described in F.S. 1008.25 must be covered by a federally required student plan, such as an IEP or an individualized progress monitoring plan, or both, as necessary. The individualized progress monitoring plan shall include, at a minimum, the following:

- A. the student's specific, identified reading or mathematics skill deficiency;
- B. goals and benchmarks for student growth in reading or mathematics;
- C. a description of the specific measures that will be used to evaluate and monitor the student's reading or mathematics progress;
- D. for a substantial reading deficiency, the specific evidence-based will receive;
- E. strategies, resources, and materials that will be provided to the student's parent to support the student to make reading or mathematics progress; and,
- F. any additional services the student's teacher deems available and appropriate to accelerate the student's reading or mathematics skill development.

#### **Substantial Reading Deficiencies/Characteristics of Dyslexia and Parental Notification**

Any student in kindergarten through grade 3 who exhibits a substantial deficiency in reading or the characteristics of dyslexia, based upon screening, diagnostic, progress monitoring, or assessment data; statewide assessments; or teacher observations must be provided intensive, explicit, systematic, and multisensory reading interventions immediately following the identification of the reading deficiency or the characteristics of dyslexia to address his or her specific deficiency or dyslexia.

The District shall implement reading intervention programs approved by the Florida Department of Education in addition to the comprehensive core reading instruction that is provided to all students in the general education classroom. Dyslexia-specific interventions, as defined by rule of the State Board of Education, shall be provided to students who have the characteristics of dyslexia. The reading intervention programs implemented by the District shall do all of the following:

- A. provide explicit, direct instruction that is systematic, sequential, and cumulative in language development, phonological awareness, phonics, fluency, vocabulary, and comprehension, as applicable.
- B. provide daily targeted small group reading interventions based on student need in phonological awareness, phonics including decoding and encoding, sight words, vocabulary, or comprehension.
- C. be implemented during regular school hours.

A school may not wait for a student to receive a failing grade at the end of a grading period or wait until a plan under this policy is developed to identify the student as having a substantial reading deficiency and initiate intensive reading interventions. In addition, a school may not wait until an evaluation conducted pursuant to F.S. 1003.57 is completed to provide appropriate, evidence-based interventions for a student whose parent submits documentation from a professional licensed under chapter 490 which demonstrates that the student has been diagnosed with dyslexia. Such interventions must be initiated upon receipt of the documentation and based on the student's specific areas of difficulty as identified by the licensed professional.

A student's reading proficiency must be monitored and the intensive interventions must continue until the student demonstrates grade level proficiency in a manner determined by the District, which may include achieving a Level 3 on the Statewide, standardized English Language Arts assessment.

The parent of any student who exhibits a substantial deficiency in reading, as described in the above paragraph, must be notified in writing of the following:

- A. that their child has been identified as having a substantial deficiency in reading, including a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in reading;
- B. a description of the current services that are provided to the child;
- C. a description of the proposed intensive interventions and supports that will be provided to the child that are designed to remediate the identified area of reading deficiency;
- D. that if the child's reading deficiency is not remediated by the end of grade 3, the child must be retained unless s/he is exempt from mandatory retention for good cause;
- E. strategies, including multisensory strategies and programming, through a read-at-home plan for parents to use in helping their child succeed in reading;

The read-at-home plan must provide access to the resources identified in F.S. 1008.25.

- F. that the Statewide, standardized English Language Arts assessment is not the sole determiner of promotion and that additional evaluations, portfolio reviews, and assessments are available to the child to assist parents and the School District in knowing when a child is reading at or above grade level and ready for grade promotion;
- G. the District's specific criteria and policies for a portfolio as provided in F.S. 1008.22 and the evidence required for a student to demonstrate mastery of Florida's academic standards for English language arts;

Schools must begin collecting evidence for a portfolio when a student in grade 3 is identified as being at risk of retention of upon the request of the parent, whichever occurs first.

- H. the District's specific criteria and policies for midyear promotion;

Midyear promotion means promotion of a retained student at any time during the year of retention once the student has demonstrated ability to read at grade level.

- I. information about the student's eligibility for the New Worlds Reading Initiative under F.S. 1003.485 and the New Worlds Scholarship Accounts under F.S. 1002.411 and information on parent training modules and other reading engagement resources available through the initiative.

After initial notification, schools shall apprise the parent at least monthly of the student's progress in response to the intensive interventions and supports. Such communication will be in writing and explain any additional interventions or supports that will be implemented to accelerate the student's progress if the interventions and supports already being implemented have not resulted in improvement.

To be promoted to grade 4, a student must score a Level 2 or higher on the Statewide standardized English language arts assessment required under F.S. 1008.22 for grade 3. If a student's reading deficiency is not remedied by the end of grade 3, as demonstrated by scoring Level 2 or higher on the Statewide standardized assessment required under F.S. 1008.22 for grade 3, the student must be retained.

A student who has been retained in third grade due to a reading deficiency shall be promoted mid-year if the student has demonstrated mastery of the State-mandated requirements in reading.

A student may be eligible for a waiver of retention criteria for acceptable good cause as outlined in the student progression plan. A student may be retained at the same grade level/course(s) when s/he has not demonstrated satisfactory mastery of the State-mandated requirements in the required subject areas. Parents must be informed in advance of the possibility of retention of a student at a grade level.

#### **Substantial Mathematics Deficiencies/Characteristics of Dyscalculia and Parental Notification**

Any student in kindergarten through grade 4 who exhibits a substantial deficiency in mathematics or the characteristics of dyscalculia based upon screening, diagnostic, progress monitoring, or assessment data; Statewide assessments; or teacher observations must:

A. immediately following the identification of the mathematics deficiency, be provided systematic and explicit mathematics instruction to address their specific deficiencies through either:

1. daily targeted small group mathematics intervention based on student need; or
2. supplemental, evidence-based mathematics interventions before or after school, or both, delivered by a highly qualified teacher of mathematics or a trained tutor.

B. the performance of a student receiving mathematics instruction under Paragraph A must be monitored and instruction must be adjusted based on the student's need.

A school may not wait for a student to receive a failing grade at the end of a grading period or wait until a plan under this policy is developed to identify the student as having a substantial mathematics deficiency and initiate intensive mathematics interventions. In addition, a school may not wait until an evaluation conducted pursuant to F.S. 1003.57 is completed to provide appropriate, evidence-based interventions for a student whose parent submits documentation from a professional licensed under Chapter 490 which demonstrates that the student has been diagnosed with dyscalculia. Such interventions must be initiated upon receipt of the documentation and based on the student's specific areas of difficulty as identified by the licensed professional.

The mathematics proficiency of a student receiving additional mathematics supports must be monitored and the intensive interventions must continue until the student demonstrates grade level proficiency in a manner determined by the district, which may include achieving a Level 3 on the Statewide, standardized Mathematics assessment.

The parent of any student who exhibits a substantial deficiency in mathematics, as described in the above paragraph, must be notified in writing of the following:

- A. that their child has been identified as having a substantial deficiency in mathematics, including a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in mathematics;
- B. a description of the current services that are provided to the child;
- C. a description of the proposed intensive interventions and supports that will be provided to the child that are designed to remediate the identified area of mathematics deficiency;
- D. strategies, including multisensory strategies and programming, through a home-based plan the parent can use in helping their child succeed in mathematics. The home-based plan must provide access to the resources identified in F.S. 1008.25.

After the initial notification, the school shall apprise the parent at least monthly of the student's progress in response to the intensive interventions and supports. Such communications must be in writing and must explain any additional interventions or supports that will be implemented to accelerate the student's progress if the interventions and supports already being implemented have not resulted in improvement.

The District shall incorporate into a home-based plan provided to the parent of a student who is identified as having a substantial mathematics deficiency the resources compiled by the Florida Department of Education and the Florida Center for Mathematics and Science Education Research. The resources will be made available online in an electronic format or, at the request of a parent, in a hardcopy format.

### **Middle Grades Promotion**

In order for a student to be promoted to high school from a school that includes middle grades 6, 7, and 8, the student must successfully complete the following courses:

- A. Three (3) middle grades or higher courses in English Language Arts (ELA).
- B. Three (3) middle grades or higher courses in mathematics.
  1. Each school that includes middle grades must offer at least one (1) high school level mathematics course for which students may earn high school credit. Successful completion of a high school level Algebra I or Geometry course is not contingent upon the student's performance on the Statewide standardized end-of-course (EOC) assessment.
  2. To earn high school credit for Algebra I, a middle grades student must take the Statewide standardized Algebra I EOC assessment and pass the course, and in addition, a student's performance on the Algebra I



EOC assessment constitutes thirty percent (30%) of the student's final course grade.

3. To earn high school credit for a Geometry course, a middle grades student must take the Statewide standardized Geometry EOC assessment, which constitutes thirty percent (30%) of the student's final course grade, and earn a passing grade in the course.

C. Three (3) middle grades or higher courses in social studies.

1. One (1) of these courses must be at least a one (1) semester civics education course that includes the roles and responsibilities of Federal, State, and local governments; the structures and functions of the legislative, executive, and judicial branches of government; and the meaning and significance of historic documents, such as the Articles of Confederation, the Declaration of Independence, and the Constitution of the United States.
2. Each student's performance on the Statewide standardized EOC assessment in civics education required under F.S. 1008.22 constitutes thirty percent (30%) of the student's final course grade.
3. A middle grade student who transfers in from out of country, out of state, a private school, or a home education program after the beginning of the second term of grade 8 is not required to meet the civics education requirement for promotion from the middle grades if the student's transcript documents passage of three (3) courses in social studies or two (2) year-long courses in social studies that include coverage of civics education.

D. Three (3) middle grades or higher courses in science.

1. Successful completion of a high school level Biology I course is not contingent upon the student's performance on the Statewide, standardized EOC assessment required under F.S. 1008.22.
2. However, to earn high school credit for a Biology I course, a middle grade student must take the Statewide, standardized Biology I EOC assessment, which constitutes thirty percent (30%) of the student's final course grade, and earn a passing grade in the course.

E. One course in career and education planning to be completed in grades 6, 7, or 8, which may be taught by any member of the instructional staff. The course must be Internet-based, customizable to each student, and include research-based assessments to assist students in determining educational and career options and goals. The course must result in a completed personalized academic and career plan for the student, which must use, when available, Florida online career planning and work-based learning coordination system. The course must teach each student how to access and update the plan and encourage the student to access and update the plan at least annually as the student progresses through middle school and high school. The personalized academic and career plan must emphasize the importance of entrepreneurship and employability skills; and must include information from the Department of Economic Opportunity's economic security report under F.S. 445.07 and other State career planning resources.

1. The required personalized academic and career plan must inform students of high school graduation requirements, including a detailed explanation of the following:
  - a. requirements for earning a high school diploma designation under F.S. 1003.4285 and the career and technical education pathway to earn a standard high school diploma under F.S. 1003.4282;
  - b. requirements for each scholarship in the Florida Bright Futures Scholarship Program;
  - c. state university and Florida college system institution admission requirements;
  - d. available opportunities to earn college credit in high school, including Advanced Placement courses;
  - e. the International Baccalaureate Program;
  - f. the Advanced International Certificate of Education Program;
  - g. dual enrollment, including career dual enrollment;
  - h. work-based learning opportunities, including internships and preapprenticeship and apprenticeship programs; and,

- i. career education courses, including career-themed courses, and course sequences that lead to industry certification pursuant to F.S. 1003.492 or 1008.44.

2. The course may be implemented as a stand-alone course or integrated into another course or courses.

#### **Notification of Acceleration, Academic, and Career Planning Options**

At the beginning of each school year, the District shall notify students in or entering high school and the students' parents, in a language that is understandable to students and parents, of the opportunity and benefits of the following:

- A. advanced placement, International Baccalaureate, Advanced International Certificate of Education, and dual enrollment courses;
- B. career and professional academies;
- C. career-themed courses;
- D. the career and technical education pathway to earn a standard high school diploma under F.S. 1003.4282;
- E. work-based learning opportunities, including internships and apprenticeship and preapprenticeship programs;
- F. foundational and soft-skill credentialing programs under F.S. 445.06;
- G. Florida Virtual School courses;
- H. options for early graduation under F.S. 1003.4281; and,
- I. guidance on accessing and using Florida's online career planning and work-based learning coordination system and the contact information of a certified school counselor who can advise students and parents of the options set forth hereinabove.

#### **Retention of Students with Disabilities**

Retention and assignment of a student with disability will be determined by the student's Individual Education Plan (IEP) Team and follow the requirements of Florida law. The assignment of and services to be provided to a student with a disability will be documented on the student's IEP. Extended school year services may be provided for any student who would severely regress in his/her skills and overall functioning as demonstrated by supporting documentation and determined necessary by the student's IEP team.



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**Revised Policy - Special Upd., Sept. 2023**

**5410.01 - PROMOTION, ACCELERATION, PLACEMENT, AND RETENTION**

The School Board recognizes that the personal, social, physical, and educational growth of children will vary and that they should be placed in the educational setting most appropriate to their needs at the various stages of their growth.

The Board shall provide for the placement, acceleration, and progression of students through adopted student progression plans. The District student progression plan includes the standards for evaluating each student's performance, including how well s/he masters the performance standards approved by the State Board of Education. A student will be promoted to the succeeding grade level when s/he has demonstrated sufficient proficiency to permit him/her to move ahead in the educational program of the next grade.

Parents may request student participation in Academically Challenging Curriculum to Enhance Learning (ACCEL) options, including whole grade promotion, midyear promotion or subject matter acceleration. If the parent selects one of these ACCEL options and the student meets eligibility and procedural requirements in the student progression plan, the student will have the opportunity to participate in the ACCEL option.

No student may be assigned to a grade level based solely on age or other factors that constitute social promotion. (F.S. 1008.25(6)(a))

**Progress Monitoring Plans and Remediation**

Each student must participate in the Statewide standardized assessment program that is required by F.S. 1008.22. Each student who does not achieve a Level 3 or above on Statewide standardized English language arts assessment; the Statewide standardized mathematics assessment; or the Algebra I end-of-course (EOC) assessment must be evaluated to

determine the nature of the student's difficulty, the areas of academic need, and strategies for providing academic supports to improve the student's performance.

Beginning in the 2022-2023 school year, the end-of-year comprehensive progress monitoring assessment administered pursuant to F.S. 1008.25(9)(b)2. is the Statewide standardized English Language Arts assessment for students in grades 3 through 10 and the Statewide standardized Mathematics assessment for students in grades 3 through 8.

A student who is not meeting the District or State requirements for satisfactory performance in English language arts and mathematics must be covered by one (1) of the following plans:

- A. a Federally required student plan such as an individual education plan;
- B. a schoolwide system of progress monitoring for all students, except a student who scores Level 4 or above on the English language arts and mathematics assessments may be exempted from participation by the principal; or
- C. an individualized progress monitoring plan.

Any student who has a substantial reading and/or substantial mathematics deficiency as described in F.S. 1008.25 must be covered by a federally required student plan, such as an IEP or an individualized progress monitoring plan, or both, as necessary. The individualized progress monitoring plan shall include, at a minimum, the following:

- A. the student's specific, identified reading or mathematics skill deficiency;
- B. goals and benchmarks for student growth in reading or mathematics;
- C. a description of the specific measures that will be used to evaluate and monitor the student's reading or mathematics progress;
- D. for a substantial reading deficiency, the specific evidence-based will receive;
- E. strategies, resources, and materials that will be provided to the student's parent to support the student to make reading or mathematics progress; and,
- F. any additional services the student's teacher deems available and appropriate to accelerate the student's reading or mathematics skill development.

#### **Substantial Reading Deficiencies/Characteristics of Dyslexia and Parental Notification**

Any student in kindergarten through grade 3 who exhibits a substantial deficiency in reading or the characteristics of dyslexia, based upon screening, diagnostic, progress monitoring, or assessment data; statewide assessments; or teacher observations must be provided intensive, explicit, systematic, and multisensory reading interventions immediately following the identification of the reading deficiency or the characteristics of dyslexia to address his or her specific deficiency or dyslexia.

The District shall implement reading intervention programs approved by the Florida Department of Education in addition to the comprehensive core reading instruction that is provided to all students in the general education classroom. Dyslexia-specific interventions, as defined by rule of the State Board of Education, shall be provided to students who have the characteristics of dyslexia. The reading intervention programs implemented by the District shall do all of the following:

- A. provide explicit, direct instruction that is systematic, sequential, and cumulative in language development, phonological awareness, phonics, fluency, vocabulary, and comprehension, as applicable.
- B. provide daily targeted small group reading interventions based on student need in phonological awareness, phonics including decoding and encoding, sight words, vocabulary, or comprehension.
- C. be implemented during regular school hours.

A school may not wait for a student to receive a failing grade at the end of a grading period or wait until a plan under this policy is developed to identify the student as having a substantial reading deficiency and initiate intensive reading interventions. In addition, a school may not wait until an evaluation conducted pursuant to F.S. 1003.57 is completed to provide appropriate, evidence-based interventions for a student whose parent submits documentation from a professional licensed under chapter 490 which demonstrates that the student has been diagnosed with dyslexia. Such interventions must be initiated upon receipt of the documentation and based on the student's specific areas of difficulty as identified by the licensed professional.

A student's reading proficiency must be monitored and the intensive interventions must continue until the student demonstrates grade level proficiency in a manner determined by the District, which may include achieving a Level 3 on the Statewide, standardized English Language Arts assessment.

The parent of any student who exhibits a substantial deficiency in reading, as described in the above paragraph, must be notified in writing of the following:

- A. that their child has been identified as having a substantial deficiency in reading, including a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in reading;
- B. a description of the current services that are provided to the child;
- C. a description of the proposed intensive interventions and supports that will be provided to the child that are designed to remediate the identified area of reading deficiency;
- D. that if the child's reading deficiency is not remediated by the end of grade 3, the child must be retained unless s/he is exempt from mandatory retention for good cause;
- E. strategies, including multisensory strategies and programming, through a read-at-home plan for parents to use in helping their child succeed in reading;

The read-at-home plan must provide access to the resources identified in F.S. 1008.25.

- F. that the Statewide, standardized English Language Arts assessment is not the sole determiner of promotion and that additional evaluations, portfolio reviews, and assessments are available to the child to assist parents and the School District in knowing when a child is reading at or above grade level and ready for grade promotion;
- G. the District's specific criteria and policies for a portfolio as provided in F.S. 1008.22 and the evidence required for a student to demonstrate mastery of Florida's academic standards for English language arts;

Schools must begin collecting evidence for a portfolio when a student in grade 3 is identified as being at risk of retention of upon the request of the parent, whichever occurs first.

- H. the District's specific criteria and policies for midyear promotion;

Midyear promotion means promotion of a retained student at any time during the year of retention once the student has demonstrated ability to read at grade level.

- I. information about the student's eligibility for the New Worlds Reading Initiative under F.S. 1003.485 and the New Worlds Scholarship Accounts under F.S. 1002.411 and information on parent training modules and other reading engagement resources available through the initiative.

After initial notification, schools shall apprise the parent at least monthly of the student's progress in response to the intensive interventions and supports. Such communication will be in writing and explain any additional interventions or supports that will be implemented to accelerate the student's progress if the interventions and supports already being implemented have not resulted in improvement.

To be promoted to grade 4, a student must score a Level 2 or higher on the Statewide standardized English language arts assessment required under F.S. 1008.22 for grade 3. If a student's reading deficiency is not remedied by the end of grade 3, as demonstrated by scoring Level 2 or higher on the Statewide standardized assessment required under F.S. 1008.22 for grade 3, the student must be retained.

A student who has been retained in third grade due to a reading deficiency shall be promoted mid-year if the student has demonstrated mastery of the State-mandated requirements in reading.

A student may be eligible for a waiver of retention criteria for acceptable good cause as outlined in the student progression plan. A student may be retained at the same grade level/course(s) when s/he has not demonstrated satisfactory mastery of the State-mandated requirements in the required subject areas. Parents must be informed in advance of the possibility of retention of a student at a grade level.

#### **Substantial Mathematics Deficiencies/Characteristics of Dyscalculia and Parental Notification**

Any student in kindergarten through grade 4 who exhibits a substantial deficiency in mathematics or the characteristics of dyscalculia based upon screening, diagnostic, progress monitoring, or assessment data; Statewide assessments; or teacher observations must:

A. immediately following the identification of the mathematics deficiency, be provided systematic and explicit mathematics instruction to address their specific deficiencies through either:

1. daily targeted small group mathematics intervention based on student need; or
2. supplemental, evidence-based mathematics interventions before or after school, or both, delivered by a highly qualified teacher of mathematics or a trained tutor.

B. the performance of a student receiving mathematics instruction under Paragraph A must be monitored and instruction must be adjusted based on the student's need.

A school may not wait for a student to receive a failing grade at the end of a grading period or wait until a plan under this policy is developed to identify the student as having a substantial mathematics deficiency and initiate intensive mathematics interventions. In addition, a school may not wait until an evaluation conducted pursuant to F.S. 1003.57 is completed to provide appropriate, evidence-based interventions for a student whose parent submits documentation from a professional licensed under Chapter 490 which demonstrates that the student has been diagnosed with dyscalculia. Such interventions must be initiated upon receipt of the documentation and based on the student's specific areas of difficulty as identified by the licensed professional.

The mathematics proficiency of a student receiving additional mathematics supports must be monitored and the intensive interventions must continue until the student demonstrates grade level proficiency in a manner determined by the district, which may include achieving a Level 3 on the Statewide, standardized Mathematics assessment.

The parent of any student who exhibits a substantial deficiency in mathematics, as described in the above paragraph, must be notified in writing of the following:

- A. that their child has been identified as having a substantial deficiency in mathematics, including a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in mathematics;
- B. a description of the current services that are provided to the child;
- C. a description of the proposed intensive interventions and supports that will be provided to the child that are designed to remediate the identified area of mathematics deficiency;
- D. strategies, including multisensory strategies and programming, through a home-based plan the parent can use in helping their child succeed in mathematics. The home-based plan must provide access to the resources identified in F.S. 1008.25.

After the initial notification, the school shall apprise the parent at least monthly of the student's progress in response to the intensive interventions and supports. Such communications must be in writing and must explain any additional interventions or supports that will be implemented to accelerate the student's progress if the interventions and supports already being implemented have not resulted in improvement.

The District shall incorporate into a home-based plan provided to the parent of a student who is identified as having a substantial mathematics deficiency the resources compiled by the Florida Department of Education and the Florida Center for Mathematics and Science Education Research. The resources will be made available online in an electronic format or, at the request of a parent, in a hardcopy format.

### **Middle Grades Promotion**

In order for a student to be promoted to high school from a school that includes middle grades 6, 7, and 8, the student must successfully complete the following courses:

- A. Three (3) middle grades or higher courses in English Language Arts (ELA).
- B. Three (3) middle grades or higher courses in mathematics.
  1. Each school that includes middle grades must offer at least one (1) high school level mathematics course for which students may earn high school credit. Successful completion of a high school level Algebra I or Geometry course is not contingent upon the student's performance on the Statewide standardized end-of-course (EOC) assessment.
  2. To earn high school credit for Algebra I, a middle grades student must take the Statewide standardized Algebra I EOC assessment and pass the course, and in addition, a student's performance on the Algebra I

EOC assessment constitutes thirty percent (30%) of the student's final course grade.

3. To earn high school credit for a Geometry course, a middle grades student must take the Statewide standardized Geometry EOC assessment, which constitutes thirty percent (30%) of the student's final course grade, and earn a passing grade in the course.

C. Three (3) middle grades or higher courses in social studies.

1. One (1) of these courses must be at least a one (1) semester civics education course that includes the roles and responsibilities of Federal, State, and local governments; the structures and functions of the legislative, executive, and judicial branches of government; and the meaning and significance of historic documents, such as the Articles of Confederation, the Declaration of Independence, and the Constitution of the United States.
2. Each student's performance on the Statewide standardized EOC assessment in civics education required under F.S. 1008.22 constitutes thirty percent (30%) of the student's final course grade.
3. A middle grade student who transfers in from out of country, out of state, a private school, or a home education program after the beginning of the second term of grade 8 is not required to meet the civics education requirement for promotion from the middle grades if the student's transcript documents passage of three (3) courses in social studies or two (2) year-long courses in social studies that include coverage of civics education.

D. Three (3) middle grades or higher courses in science.

1. Successful completion of a high school level Biology I course is not contingent upon the student's performance on the Statewide, standardized EOC assessment required under F.S. 1008.22.
2. However, to earn high school credit for a Biology I course, a middle grade student must take the Statewide, standardized Biology I EOC assessment, which constitutes thirty percent (30%) of the student's final course grade, and earn a passing grade in the course.

E. One course in career and education planning to be completed in grades 6, 7, or 8, which may be taught by any member of the instructional staff. The course must be Internet-based, customizable to each student, and include research-based assessments to assist students in determining educational and career options and goals. The course must result in a completed personalized academic and career plan for the student, which must use, when available, Florida online career planning and work-based learning coordination system. The course must teach each student how to access and update the plan and encourage the student to access and update the plan at least annually as the student progresses through middle school and high school. The personalized academic and career plan must emphasize the importance of entrepreneurship and employability skills; and must include information from the Department of Economic Opportunity's economic security report under F.S. 445.07 and other State career planning resources.

1. The required personalized academic and career plan must inform students of high school graduation requirements, including a detailed explanation of the following:
  - a. requirements for earning a high school diploma designation under F.S. 1003.4285 and the career and technical education pathway to earn a standard high school diploma under F.S. 1003.4282;
  - b. requirements for each scholarship in the Florida Bright Futures Scholarship Program;
  - c. state university and Florida college system institution admission requirements;
  - d. available opportunities to earn college credit in high school, including Advanced Placement courses;
  - e. the International Baccalaureate Program;
  - f. the Advanced International Certificate of Education Program;
  - g. dual enrollment, including career dual enrollment;
  - h. work-based learning opportunities, including internships and preapprenticeship and apprenticeship programs; and,

- i. career education courses, including career-themed courses, and course sequences that lead to industry certification pursuant to F.S. 1003.492 or 1008.44.

2. The course may be implemented as a stand-alone course or integrated into another course or courses.

#### **Notification of Acceleration, Academic, and Career Planning Options**

At the beginning of each school year, the District shall notify students in or entering high school and the students' parents, in a language that is understandable to students and parents, of the opportunity and benefits of the following:

- A. advanced placement, International Baccalaureate, Advanced International Certificate of Education, and dual enrollment courses;
- B. career and professional academies;
- C. career-themed courses;
- D. the career and technical education pathway to earn a standard high school diploma under F.S. 1003.4282;
- E. work-based learning opportunities, including internships and apprenticeship and preapprenticeship programs;
- F. foundational and soft-skill credentialing programs under F.S. 445.06;
- G. Florida Virtual School courses;
- H. options for early graduation under F.S. 1003.4281; and,
- I. guidance on accessing and using Florida's online career planning and work-based learning coordination system and the contact information of a certified school counselor who can advise students and parents of the options set forth hereinabove.

#### **Retention of Students with Disabilities**

Retention and assignment of a student with disability will be determined by the student's Individual Education Plan (IEP) Team and follow the requirements of Florida law. The assignment of and services to be provided to a student with a disability will be documented on the student's IEP. Extended school year services may be provided for any student who would severely regress in his/her skills and overall functioning as demonstrated by supporting documentation and determined necessary by the student's IEP team.





Book	Policy Manual
Section	Sept. 2023 Revisions
Title	PARENT/GUARDIAN NOTIFICATION AND PERMISSION (SCHOOL-SPONSORED EVENTS AND ACTIVITIES)
Code	*po5782 tb 11.7.2023
Status	
Legal	<a href="#">F.A.C. 6A-10.085</a> <a href="#">F.A.C. 6A-10.089</a>

### **New Policy - Special Upd., Sept. 2023**

#### **5782 - PARENT/GUARDIAN NOTIFICATION AND PERMISSION (SCHOOL-SPONSORED EVENTS AND ACTIVITIES)**

For purposes of this policy, the following definitions shall apply:

- A. "School-sponsored events or activities" means an event or activity the school of enrollment created for students to study or participate in while in the custody of the School District; or field trips, extra-curricular activities, or other supplemental programs and activities.
- B. "Field trip" means an outing away from the school of enrollment made by students to study or participate in an activity while in the custody of the School District.
- C. "Extra-curricular" means any school-authorized or education-related activity occurring during or outside the regular instructional school day.
- D. "Supplemental program" means extra academic assistance, such as tutoring or remedial help, that is provided to students in any subject area, occurring before or after school, on weekends or during the summer, where provided by or through the School District or on School District property.

#### **Parent/Guardian Notification and Permission**

To fully inform parents and legal guardians of the details of any school-sponsored event or activity, schools must provide parents and/or legal guardians with a permission form that includes, at a minimum, the following information:

- A. the nature of the school-sponsored trip or activity;
- B. the date(s) and time(s) of the school-sponsored trip or activity;
- C. specific location(s)/type(s) of establishment(s) to be visited and type(s) of sponsors/guests at the school-sponsored trip or activity;
- D. mode(s) of transportation;
- E. method of student supervision provided, such as anticipated number of chaperones; and,
- F. for overnight lodging, whether room assignments are not separated by biological sex at birth.

Students must return the signed permission form to participate in the school-sponsored event or activity.

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Book	Policy Manual
Section	Sept. 2023 Revisions
Title	STUDENT TECHNOLOGY ACCEPTABLE USE AND SAFETY
Code	*po7540.03 TW 10/24/23 EMT 01-07-2023
Status	
Legal	<a href="#"><u>F.S. 1001.43</u></a> <a href="#"><u>F.S. 1001.51</u></a> F.S. 1003.02 F.A.C. 6A-1.0955 <a href="#"><u>P.L. 106-554, Children's Internet Protection Act of 2000</u></a> <a href="#"><u>47 U.S.C. 254(h),(1), Communications Act of 1934, as amended</u></a> <a href="#"><u>20 U.S.C. 6301 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended</u></a> 20 U.S.C. 6777 (2003) <a href="#"><u>20 U.S.C. 9134 (2003)</u></a> <a href="#"><u>18 U.S.C. 2256</u></a> <a href="#"><u>18 U.S.C. 1460</u></a> <a href="#"><u>18 U.S.C. 2246</u></a> <a href="#"><u>47 C.F.R. 54.500</u></a> <a href="#"><u>47 C.F.R. 54.501</u></a> <a href="#"><u>47 C.F.R. 54.502</u></a> <a href="#"><u>47 C.F.R. 54.503</u></a> <a href="#"><u>47 C.F.R. 54.504</u></a> <a href="#"><u>47 C.F.R. 54.505</u></a> <a href="#"><u>47 C.F.R. 54.506</u></a> <a href="#"><u>47 C.F.R. 54.507</u></a> <a href="#"><u>47 C.F.R. 54.508</u></a> <a href="#"><u>47 C.F.R. 54.509</u></a> <a href="#"><u>47 C.F.R. 54.511</u></a> <a href="#"><u>47 C.F.R. 54.513</u></a> <a href="#"><u>47 C.F.R. 54.514</u></a> <a href="#"><u>47 C.F.R. 54.515</u></a> <a href="#"><u>47 C.F.R. 54.516</u></a> <a href="#"><u>47 C.F.R. 54.517</u></a>

[47 C.F.R. 54.518](#)

[47 C.F.R. 54.519](#)

[47 C.F.R. 54.520](#)

[47 C.F.R. 54.522](#)

[47 C.F.R. 54.523](#)

**7540.03 - STUDENT TECHNOLOGY INTERNET SAFETY AND ACCEPTABLE USE AND SAFETY**

**NOTE: This draft includes changes both from Update Vol. 24, No. 1 and the Special Update in September 2023**

Technology has fundamentally altered the ways in which information is accessed, communicated, and transferred in society. As a result, educators are continually adapting their means and methods of instruction, and the way they approach student learning to incorporate the vast, diverse, and unique resources available through the Internet. The School Board provides technology resources (as defined in Bylaw 0100) to support the educational and professional needs of its students and staff. With respect to students, District technology resources afford them the opportunity to acquire the skills and knowledge to learn effectively and live productively in a digital world. The Board provides students with access to the Internet for limited educational purposes only and utilizes online educational services/apps to enhance the instruction delivered to its students. The District's computer network and Internet system do not serve as a public access service or a public forum and the Board imposes reasonable restrictions on its use consistent with its limited educational purpose.

The Board regulates the use of District technology resources by principles consistent with applicable local, State, and Federal laws, the District's educational mission and articulated expectations of student conduct as delineated in the Code of Student Conduct. This policy and its related administrative procedures and the Code of Student Conduct govern students' use of District technology resources and students' personal communication devices when they are connected to the District computer network, Internet connection, and/or online educational services/apps or when used while the student is on Board-owned property or at a Board-sponsored activity (see Policy 5136).

Users are required to refrain from actions that are illegal (such as libel, slander, vandalism, harassment, theft, plagiarism, inappropriate access, and the like) or unkind (such as personal attacks, invasion of privacy, injurious comment, and the like). Because its technology resources are not unlimited, the Board has also instituted restrictions aimed at preserving these resources, such as placing limits on use of bandwidth, storage space, and printers.

Users have no right or expectation to privacy when using District technology resources (including, but not limited to, privacy in the content of their personal files, e-mails, and records of their online activity when using the District's computer network and/or Internet connection).

First, the Board may not be able to technologically limit access, through its technology resources, to only those services and resources that have been authorized for the purpose of instruction, study, and research related to the curriculum. Unlike in the past when educators and community members had the opportunity to review and screen materials to assess their appropriateness for supporting and enriching the curriculum according to adopted procedures and reasonable selection criteria (taking into account the varied instructional needs, learning styles, abilities, and developmental levels of the students who would be exposed to them), access to the Internet, because it serves as a gateway to any publicly available file server in the world, opens classrooms and students to electronic information resources that may not have been screened by educators for use by students of various ages.

Pursuant to Federal law, the Board has implemented technology protection measures that protect against (e.g., filter or block) access to visual displays/depictions/materials that are **not appropriate for students (taking into consideration the subject matter and the age of students served at each school)**, obscene, constitute child pornography, and/or are harmful to minors, as defined by the Children's Internet Protection Act (CIPA). ~~At the discretion of the Board or the Superintendent, the technology protection measures may be configured to protect against access to other material considered inappropriate for students to access.~~ The Board also utilizes software and/or hardware to monitor online activity of students to restrict access to child pornography and other material that is obscene, objectionable, inappropriate, and/or harmful to minors. The technology protection measures may not be disabled at any time that students may be using District technology resources if such disabling will cease to protect against access to materials that are prohibited under the CIPA. Any student who attempts to disable the technology protection measures will be subject to discipline.

The Superintendent or Principal may temporarily or permanently unblock access to websites or online educational services/apps containing appropriate material if access to such sites has been inappropriately blocked by the technology protection measures. The determination of whether the material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material, not on the protection actions of the technology protection measures.

Prior to requiring students to use online content, (X) school personnel and or (X) technology support person (X) The instructor must confirm the content is not blocked by any student internet filter. (X) Department and the (-X) Principal may submit a request to (X) the District's Information Technology Department and the (-X) Principal to have blocked content or social media platforms reviewed and unblocked for educational purposes. ~~END OF OPTIONAL SENTENCE~~

Parents are advised that a determined user may be able to gain access to services and/or resources on the Internet that the Board has not authorized for educational purposes. In fact, it is impossible to guarantee students will not gain access through the Internet to information and communications that they and/or their parents may find inappropriate, offensive, objectionable, or controversial. Parents of minors are responsible for setting and conveying the standards that their children should follow when using the Internet.

The District shall provide an Internet Safety Program in accordance with State Board of Education Rule. Among other things, the Program:

- A. limits access by students to only age-appropriate subject matter and materials on the Internet;
- B. protects the safety and security of students when using e-mail, chat rooms, and other forms of direct electronic communications;
- C. prohibits access by students to data or information, including so-called "hacking," and other unlawful online activities by students; and
- D. prevents access to websites, web applications, or software that does not protect against the disclosure, use, or dissemination of students' personal information in accordance with F.A.C. 6A-1.0955.

In addition, Pursuant pursuant to Federal law, students shall receive education about the following:

- A. safety and security while using e-mail, chat rooms, social media, and other forms of direct electronic communications;
- B. the dangers inherent with the online disclosure of personally identifiable information;
- C. the consequences of unauthorized access (e.g., "hacking", "harvesting", "digital piracy", "data mining", etc.), cyberbullying, and other unlawful or inappropriate activities by students online; and,
- D. unauthorized disclosure, use, and dissemination of personally identifiable information regarding minors.

Staff members shall provide instruction for their students regarding the appropriate use of technology and online safety and security as specified above. Furthermore, staff members will monitor the online activities of students while at school.

Monitoring may include, but is not necessarily limited to, visual observations of online activities during class sessions; or use of specific monitoring tools to review browser history and network, server, and computer logs.

Building principals are responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying procedures. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of District technology resources. Such training shall include, but not be limited to, education concerning appropriate online behavior, including interacting with other individuals on social media, including in chat rooms, and cyberbullying awareness and response. All users of District technology resources (and their parents if they are minors) are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying procedures.

Students will be assigned a school e-mail account that they are required to utilize for all school-related electronic communications, including those to staff members, peers, and individuals and/or organizations outside the District, with whom they are communicating for school-related projects and assignments. Further, as directed and authorized by their teachers, they shall use their school-assigned e-mail account when signing-up/registering for access to various online educational services, including mobile applications/apps that will be utilized by the student for educational purposes.

Students are responsible for good behavior when using District technology resources - i.e., behavior comparable to that expected of students when they are in classrooms, school hallways, and other school premises and school-sponsored events. Communications on the Internet are often public in nature. General school rules for behavior and communication

apply. The Board does not approve any use of its technology resources that is not authorized by or conducted strictly in compliance with this policy and its accompanying procedures.

Students ~~may only use District technology resources to access or use~~ are prohibited from accessing social media if it is done platforms through the use of Internet access provided by the District unless expressly directed by a teacher solely for educational purposes in accordance with their teacher's approved plan for such use. The use of the TikTok platform or any successor platform is prohibited on District-owned devices, through Internet access provided by the District, or as a platform to communicate or promote any District school, school-sponsored club, extracurricular organization, or athletic team.

Users who disregard this policy and its accompanying procedures may have their use privileges suspended or revoked, and disciplinary action taken against them. Users are personally responsible and liable, both civilly and criminally, for uses of District technology resources that are not authorized by this policy and its accompanying procedures.

The Board designates the Superintendent and Principal as the administrators responsible for initiating, implementing, and enforcing this policy and its accompanying procedures as they apply to students' use of District technology resources.

#### **Annual Approval of Policy**

By September 1st of each year, the Board shall review and, if necessary, approve any changes to this policy.

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Book Policy Manual  
Section Sept. 2023 Revisions  
Title STUDENT RECORDS  
Code \*po8330 TEMT 01-07-2023

Status

Legal

[F.S. Chapter 119](#)

[F.S. 1001.41](#)

[F.S. 1001.52](#)

[F.S. 1002.22](#)

[F.S. 1002.221](#)

[F.S. 1002.222](#)

[F.S. 1003.25](#)

[F.A.C. 6A-1.0955](#)

[20 U.S.C. 1232f \(FERPA\)](#)

[20 U.S.C. 1232g \(FERPA\)](#)

[20 U.S.C. 1232h \(FERPA\)](#)

[20 U.S.C. 1232i \(FERPA\)](#)

[20 U.S.C. 7908](#)

[26 U.S.C. 152](#)

[20 U.S.C. 1400 et seq., Individuals with Disabilities Act](#)

[Privacy Rights of Parents and Students - P.L. 90-247](#)

[No Child Left Behind Act of 2001 - P.L. 107-110](#)

[2021 Solomon Amendment: Subtitle C- General Service Authorities and Correction of Military Records SEC. 521](#)

**8330 - STUDENT RECORDS** ~~NOTE: This Draft includes the changes from both the Vol. 24, No. 1 Update and the September 2023 Special Update.~~

In order to provide appropriate educational services and programming, the School Board must collect, retain, and use information about students. Simultaneously, the Board recognizes the need to safeguard students' privacy and restrict access to students' personally identifiable information.

#### Definitions

**"Education records"** means records that are directly related to a student and that are maintained by the District or a party acting for or on behalf of the District, as defined in 20 U.S.C. Section 1232g(a)(4).

**"Eligible student"** refers to students who are eighteen (18) years of age or older, or who are enrolled in a postsecondary

institution, regardless of age.

**"Parent" or "parents"** includes parents or guardians of students who are or have been in attendance at a school or institution.

**"Personally identifiable information" or "PII"** means information that can be used to distinguish or trace a student's identity either directly or indirectly through linkages with other information, as defined in 34 CFR §99.3. PII includes, but is not limited to, direct identifiers (such as a student's or other family member's name), indirect identifiers (such as a student's date of birth, place of birth, or mother's maiden name), and other personal identifiers (such as a student's social security number or Florida Education Identifier (FLEID) number). PII also includes information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

**"Student"** means any individual who is or has been in attendance in a District school and regarding whom the District maintains education records.

**"Therapeutic treatment plan"** means a plan that identifies the mental health diagnosis, or condition, the therapy or intervention goal(s), the type of school-based mental health intervention, and the school-based mental health services provider responsible for providing the mental health intervention or therapy.

**"Therapy progress notes"** means notes maintained by a school-based mental health services provider that summarize the focus and progress toward treatment goals(s) of each therapy or intervention session.

**"Third-party vendor" or "Third-party service provider"** means any entity, whether public or private, that provides services to the Board through a contract or agreement. The term does not include the Florida Department of Education or the Department's contractors and subcontractors, **school boards and school districts**.

### **Maintenance of Student Records**

The Board is responsible for the records of all students who attend or have attended schools in this District. Only records mandated by the State or Federal government and necessary and relevant to the function of the School District or specifically permitted by this Board shall be compiled by District employees.

Each school shall maintain a permanent cumulative record for each student enrolled in the school which shall contain the data as prescribed by F.A.C. 6A-1.0955 and this policy.

Information contained in student education records shall be:

**A. Category A Records, Information for each student which shall be kept current while the student is enrolled and retained permanently in the manner prescribed by F.S. 1001.52**

1. Student's full legal name.
2. Authenticated birthdate, place of birth, race, ethnicity, and sex.
3. Last known address of the student.
4. Name(s) of the student's parent(s) or guardian(s).
5. Name and location of last school attended.
6. Number of days present and absent, date enrolled, date withdrawn.
7. Courses taken and record of achievements, such as grades, credits, or certification of competence.
8. Date of graduation or date of program completion.
9. Records of requests for access to and disclosure of personally identifiable information from the student's educational records.

**B. Category B Records, Information which is subject to periodic review and elimination when the information is no longer useful in the manner prescribed by F.S. 1001.52**

1. Health information, family background data, standardized test scores, State-mandated achievement test scores, educational and career plans, honors and activities, work experience reports, and teacher comments.



2. Reports of student services or exceptional student staffing committees including all information required by F.S. 1001.42.
3. Correspondence from community agencies or private professionals.
4. Discipline records.
5. School Environmental Safety Incident Reports (SESIR) collected under F.S. 1006.07.
6. Threat assessments done by the threat assessment team pursuant to F.S. 1006.07, subject to the following:

- a. Transient or Substantive Threats

Threat assessments determined to be transient or substantive, as defined in F.A.C. 6A-1.0018, are Category B records and shall be maintained in a student's file as long as determined useful by a threat assessment team, pursuant to F.S. 1006.07 and F.A.C. 6A-1.0018.

- b. Non-Threats

In order to protect students from stigma and unintended consequences, reported threats which are determined by a threat assessment team not to be a threat at all, meaning the threat does not rise to the level of transient or substantive, may be maintained by the threat assessment team, but must not be maintained in a student's file, unless one of the following conditions are met.

1. The parent of the student who was the subject of a non-threat finding requests that the record be retained in the student's file; or
2. The threat assessment team has made a determination that the non-threat finding must be retained in order to ensure the continued safety of the school community or to ensure the well-being of the student.

Such determination and reasoning for maintaining the record must be documented with the non-threat finding.

Where such a determination is made, the threat assessment team must re-evaluate the decision on an annual basis to determine if the record is no longer useful. The student's age and length of time since the original assessment must be considered in those evaluations.

7. A list of schools attended.
8. Written agreements of corrections, deletions, or expunctions as a result of meetings or hearings to amend educational records.
9. Academic and behavioral intervention services.
10. Psychological evaluations.
11. Therapeutic treatment plans and therapy progress notes.
12. Such other records of educational importance as the school shall deem necessary.
13. Records designated for retention by the Florida Department of State in General Records Schedule GS7 for Public Schools Pre-K - 12, Adult and Vocational/Technical.

Category A and B records shall be maintained in compliance with the approved District records retention schedule.

Individual exceptional student records shall be kept separate from regular cumulative records. These records shall be sent to each succeeding school the student attends in the District and shall be maintained in accordance with the approved District records retention plan.

Periodic review for elimination of outdated information in student records by the custodian or designees shall be made in accordance with F.S. 1001.52, and the approved District records retention plan. The custodian of the student records shall be responsible for maintaining the accuracy of information by purging student records in accordance with the General Records Schedule for Public Schools (GS-7). Explanations placed in the education record and the record of access shall be maintained for as long as the education record to which it pertains is maintained. This procedure must be implemented before records are released to any vocational-technical centers, community colleges, or institutions of higher learning in which the student seeks or intends to enroll.

<b>Type Record</b>	<b>Location</b>	<b>Custodian</b>	<b>Address</b>
Active and inactive student records as specified in the current Student Records Manual for the District	Last school attended	Principal of last school attended	As shown in local directory
Inactive student cumulative records (Category A) as specified in the current Student Records Manual for the District	Central District Office	Superintendent or designee	Records Management Educational Services Facility
Individual exceptional student education records as specified in the current Student Records Manual for the District	Last school attended	Principal of last school attended	As shown in local directory
Individual student psychological records as specified in the current Student Records Manual for the District	Last school attended	Principal of last school attended	As shown in local directory

### **Limitations on Collection and Retention of Certain Information**

The District shall not collect, obtain, or retain information on the political affiliation, voting history, religious affiliation, or biometric information of a student or a parent or sibling of a student. For purposes of this paragraph, the term "biometric information" means information collected from the electronic measurement or evaluation of any physical or behavioral characteristics that are attributable to a single person, including fingerprint characteristics, hand characteristics, eye characteristics, vocal characteristics, and any other physical characteristics used for the purpose of electronically identifying that person with a high degree of certainty. Examples of biometric information include, but are not limited to, a fingerprint or hand scan, a retina or iris scan, a voice print, or a facial geometry scan.

The District shall not maintain any report or record relative to a student that includes a copy of a student's fingerprints.

The Superintendent or designee will be responsible for the privacy and security of records that are not under the supervision of the school principal.

Notwithstanding the provisions of this paragraph, if the District used a palm scanner system for identifying students for breakfast and lunch programs on March 1, 2014, it may continue to use the palm scanner system through the 2014-2015 school year.

### **Requests to Deviate from Students Legal Name**

Parents who approve of their student being referred to by any name other than their legal name (such as a nickname) must fully complete the District's electronic or hard copy parental consent form

### **Access to Student Records**

The rights of students and their parents with respect to education records created, maintained, or used by the District must be protected in accordance with FERPA, State law, and the implementing regulations and rules issued pursuant thereto. Students and their parents have the right to access their education records, including the right to inspect and review those records, have the right to waive their access to their education records in certain circumstances, have the right to challenge the content of education records, have the right of privacy with respect to such records and reports, and receive annual notice of their rights with respect to education records.

In addition to students and their parents and eligible students, student records shall be available only to designated school officials and personnel, to such other persons as the parent or eligible student authorizes in writing, a court of competent jurisdiction or to other individuals or organizations as permitted by law.

Schools may, without consent of parents, guardians, or eligible students, provide access to school officials to perform an administrative, supervisory, or instructional task, or to perform a service or benefit for the student or the student's family, and psychologists within the School District providing they have a legitimate educational interest. Support employees may

be designated by the principal for the purpose of doing clerical work and maintaining student records. However, such persons shall receive in-service training concerning the confidentiality of student records and work under the supervision and control of an administrative staff member.

Whenever a student has attained eighteen (18) years of age, the permission and consent required of and rights accorded to the parents of the student as to student records maintained by the District, shall thereafter be required of and accorded to the eligible student only, unless the eligible student is a dependent of their parents as defined in Title 26 U.S.C. Section 152 of the Internal Revenue Code of 1954. The School District may, in this instance, disclose personally identifiable information from the education records to the parents without the prior consent of the eligible student.

Whenever a student has enrolled in a postsecondary institution, regardless of age, the permission and consent required of and rights accorded to the parents of the student as to student records maintained by the postsecondary institution shall thereafter be required of and accorded to the eligible student only. However, if the student is not eighteen (18) years of age, then the permission and consent required of and rights as to the student's records maintained by the District shall be retained by the parents.

The custodian of the student record shall permit the eligible student or the parents or guardians of the student who is or has been in attendance in the School District to inspect and review the education records of the eligible student or student. Provisions for such inspection and review shall be made within a reasonable period of time of the request, but in no case shall be more than thirty (30) days after the request has been made.

The District presumes that the eligible student or either parent of the student has the right to inspect, review, and receive copies of the education records of the student or eligible student unless the Board, its staff, or the individual school has been provided a legally binding instrument or court order governing such matters as divorce, separation, or custody which provides to the contrary.

In instances where records are opened to parents, guardians, or eligible students, schools shall make available a member of the professional staff to interpret the record and shall provide copies, upon request and payment of the current District copy rate, which shall not exceed the maximum rate for copies of public records as set forth in F.S. Chapter 119.

The copy rate will include actual reproduction costs and will not include the labor costs for retrieval.

School officials shall provide requesting parents, guardians, or eligible students an opportunity for a hearing to challenge the content of their child's or the eligible student's school records, to ensure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of students, and to provide an opportunity for the correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data contained therein.

Parents, guardians, and eligible students may waive their right of access to confidential letters or statements of recommendations or evaluation. Such waiver shall be made in writing to the custodian of the records and shall be signed by the parent, guardian, or eligible student. Such waiver shall apply to recommendations or evaluation only if:

- A. the parent, guardian, or eligible student is, upon request, notified of the names of all persons submitting confidential letters or statements; and
- B. such recommendations or evaluations are used solely for the purpose for which they were specifically intended.

The waiver of the right of access may be revoked in writing with respect to actions occurring after the revocation.

#### **Court Request of Records**

- A. Student records may be disclosed to a court of competent jurisdiction provided that reasonable notification is given in advance to the parents and student. If the Principal is unable to notify prior to the time for compliance set forth in the court order, they shall bring to the court's attention the provision of the Family Educational Rights and Privacy Act of 1974 and comply with the court's instruction.
- B. Student records may be disclosed pursuant to a lawfully issued subpoena, upon the condition that the student, or their parent if the student is either a minor and not attending an institution of postsecondary education or a dependent of such parent as defined in 26 U.S.C. 152 (s. 152 of the Internal Revenue Code of 1954), is notified of the order or subpoena in advance of compliance therewith by the educational institution or agency.

The Superintendent may, in writing, authorize access to student records to representatives of the Federal, State, or local educational authorities.

Transcripts of a student's records may be released without written consent from the students' parents, guardians, or eligible student, to any vocational-technical center, community college, or any postsecondary institutions of higher learning in which the student seeks or intends to enroll. A copy of the records may be released to the student's parents, guardians, or

eligible student upon request. This policy is also applicable in instances where such a request is in connection with a student's application for, or receipt of, financial aid.

### **Hearing Procedure to Correct Student Records**

Whenever a parent, guardian, or eligible student believes the content of the student record is inaccurate, misleading, or in violation of their privacy, they may request in writing an informal meeting with the custodian of the record for the purpose of requesting the correction, deletion, or expunction of any inaccurate, misleading, or otherwise inappropriate data or material contained in the student record.

If the parties at the informal meeting agree to make deletions, to expunge material, or to add a statement of explanation or rebuttal to the file, such agreement shall be reduced to writing and signed by the parties, and the appropriate school officials shall take the necessary actions to implement the agreement. If an agreement is not reached, denial of the request and notification of the right to a formal hearing shall be made in writing to the parent, guardian, or eligible student with a copy to the Superintendent or designee.

Upon the request of a parent, guardian, or eligible student, a formal hearing shall be held. Such hearing shall be requested, in writing, within ten (10) days of the written notice of denial at the informal meeting, to the Superintendent or designee, who shall appoint a hearing officer who shall be any official of the school system with no direct interest in the outcome of the hearing. The hearing officer shall convene and conduct the hearing and shall render a decision in writing to all concerned parties within ten (10) days of the conclusion of the hearing. Such hearing shall be held within a reasonable period of time but in no case shall be held more than thirty (30) days from the date of the written request.

The parents, guardian, eligible student, and officials of the school shall be afforded a full and fair opportunity to present evidence relevant to the issues raised. The hearing shall be recorded and available to all parties. However, the record of such hearings are exempt from disclosure under F.S. Chapter 119.

If the decision of the hearing officer is that the records are not inaccurate, misleading, or otherwise in violation of privacy rights, the parent, guardian, or eligible student shall be allowed to comment in writing on the information in the education record and set forth any reasons for disagreeing with the decision. This written response shall be filed in the education records of the student.

### **Disclosure of Personally Identifiable Information**

Notwithstanding any other provision in this policy, student education records shall not be disclosed to any person, public body, body politic, political subdivision, or agency of the Federal government except when authorized by State or Federal law or in response to a lawfully issued subpoena or court order. In accordance with State law, student education records are exempt from the provisions of F.S. Chapter 119.

#### **A. Prior Written Consent**

1. Prior written consent of the parent, guardian, or eligible student shall be obtained prior to disclosing personally identifiable student information other than directory information. The written consent shall include: signature of the parent, guardian, or eligible student; date; specification of records or information to be disclosed; purpose of the disclosure; and the party or class of parties to whom a disclosure is to be made.
2. Disclosures of personally identifiable student information will be made only on the condition that the party or parties to whom the information is disclosed shall not disclose the information to any other party without prior written consent of the parent, guardian, or eligible student, as appropriate. Personally identifiable student information which is disclosed to an institution, agency, or organization may be used by its officers, employees, and agents, but only for the purpose for which the disclosure was made. The District presumes the parent, guardian, or eligible student has the authority to grant permission for disclosure of personally identifiable student information unless the District has been provided with evidence that there is a legally binding instrument or State law or court order governing such matters as divorce, separation, or custody which provides to the contrary.

#### **B. Without Prior Written Consent**

Personally identifiable information or records of a student may be released to the following persons or organizations without the prior written consent of the student or the student's parent or guardian:

1. Officials of schools, school systems, career centers, or public postsecondary educational institutions in which the student seeks or intends to enroll; and a copy of such records or reports shall be furnished to the parent or student upon request.

2. Other school officials, including teachers within the educational institution or agency, who have a legitimate educational interest in the information contained in the records.
3. The United States Secretary of Education, the Director of the National Institute of Education, the Assistant Secretary for Education, the Comptroller General of the United States, or State or local educational authorities who are authorized to receive such information subject to the conditions set forth in applicable Federal statutes and regulations of the United States Department of Education, or in applicable State statutes and rules of the State Board of Education.

The disclosed records must be used to audit or evaluate a Federal or State-supported education program, or to enforce or comply with Federal requirements related to those education programs. A written agreement between the parties is required under this exception. (see Form 8330 F16)

This written agreement must include:

- a. designation of the receiving individual or entity as an authorized representative;
- b. specification of the information to be disclosed;
- c. specification that the purpose of the disclosure is to carry out an audit or evaluation of a government-supported educational program or to enforce or comply with the program's legal requirements;
- d. a summary of the activity that includes a description of the methodology and an explanation of why personally identifiable information is necessary to accomplish the activity;
- e. a statement requiring the organization to destroy all personally identifiable information when it is no longer needed to carry out the audit or evaluation, along with a specific time period in which the information must be destroyed; and
- f. a statement of policies and procedures that will protect personally identifiable information from further disclosure or unauthorized use.

Under the audit exception, the District will use reasonable methods to verify that the authorized representative complies with FERPA regulations. Specifically, the District will verify, to the greatest extent practicable, that the personally identifiable information is used only for the audit, evaluation, or enforcement of a government-supported educational program. The District will also ascertain the legitimacy of the audit or evaluation and will only disclose the specific records that the authorized representative needs. Further, the District will require the authorized representative to use the records only for the specified purpose and not to disclose the information any further, such as for another audit or evaluation. Finally, the District will verify that the information is destroyed when no longer needed for the audit, evaluation, or compliance activity.

4. Appropriate parties in connection with a student's application for or receipt of financial aid, if necessary to determine the eligibility for the aid; determine the amount of the aid; determine the conditions of the aid; and/or enforce the terms and conditions of the aid.
5. Individuals or organizations conducting studies for or on behalf of an institution or a board of education for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, if the studies are conducted in a manner that does not permit the personal identification of students and their parents by persons other than representatives of such organizations and if the information will be destroyed when no longer needed for the purpose of conducting such studies.

In order to release information under this provision, the District will enter into a written agreement with the recipient organization that specifies the purpose of the study. (see Form 8330 F14)

This written agreement must include: (1) specification of the purpose, scope, duration of the study, and the information to be disclosed; (2) a statement requiring the organization to use the personally identifiable information only to meet the purpose of the study; (3) a statement requiring the organization to prohibit personal identification of parents and students by anyone other than a representative of the organization with legitimate interests; and (4) a requirement that the organization destroy all personally identifiable information when it is no longer needed for the study, along with a specific time period in which the information must be destroyed.

While the disclosure of personally identifiable information without consent is allowed under this exception, it is recommended that whenever possible the administration either release de-identified information or remove the students' names and social security identification numbers to reduce the risk of unauthorized disclosure of

personally identifiable information.

6. Accrediting organizations, in order to carry out their accrediting functions.
7. School Readiness programs as provided in State law in order to carry out their assigned duties.
8. For use as evidence in student expulsion hearings conducted by a district school board under F.S. Chapter 120; however, public records of expulsion hearings shall not contain any personally identifiable information.
9. Appropriate parties in connection with an emergency, if knowledge of the information in the student's educational records is necessary to protect the health or safety of the student or other individuals.
10. The Auditor General and the Office of Program Policy Analysis and Government Accountability in connection with their official functions; however, except when the collection of personally identifiable information is specifically authorized by law, any data collected by the Auditor General and the Office of Program Policy Analysis and Government Accountability is confidential and exempt from F.S. 119.07 (1) and shall be protected in a way that does not permit the personal identification of students and their parents by other than the Auditor General, the Office of Program Policy Analysis and Government Accountability, and their staff, and the personally identifiable data shall be destroyed when no longer needed for the Auditor General's and the Office of Program Policy Analysis and Government Accountability's official use.
11. A court of competent jurisdiction in compliance with an order of that court or the attorney of record in accordance with a lawfully issued subpoena, upon the condition that the student and the student's parent are notified of the order or subpoena in advance of compliance therewith by the educational institution or agency.

Student records may be disclosed pursuant to a lawfully issued subpoena, upon the condition that the student, or his/her parent if the student is either a minor and not attending a postsecondary educational institution or a dependent of such parent as defined in 26 U.S.C. 152 (section 152 of the Internal Revenue Code of 1954), is notified of the order or subpoena in advance of compliance therewith by the educational institution or agency.
12. Credit bureaus, in connection with an agreement for financial aid that the student has executed, if the information is disclosed only to the extent necessary to enforce the terms or conditions of the financial aid agreement. Credit bureaus shall not release any information obtained under this paragraph to any person.
13. Parties to an interagency agreement among the Department of Juvenile Justice, school and law enforcement authorities, and other signatory agencies for the purpose of reducing juvenile crime and especially motor vehicle theft by promoting cooperation and collaboration, and the sharing of appropriate information in a joint effort to improve school safety, to reduce truancy and in-school and out-of-school suspensions, and to support alternatives to in-school and out-of-school suspensions and expulsions that provide structured and well supervised educational programs supplemented by a coordinated overlay of other appropriate services designed to correct behaviors that lead to truancy, suspensions, and expulsions, and that support students in successfully completing their education. Information provided in furtherance of such interagency agreements is intended solely for use in determining the appropriate programs and services for each juvenile or the juvenile's family, or for coordinating the delivery of such programs and services, and as such is inadmissible in any court proceedings prior to a dispositional hearing unless written consent is provided by a parent or other responsible adult on behalf of the juvenile.
14. Consistent with the Family Educational Rights and Privacy Act, the Department of Children and Families or a community-based care lead agency acting on behalf of the Department of Children and Families, as appropriate.
15. Parents of a dependent student as defined by the Internal Revenue Service Tax Code of 1986 and in this policy.
16. Directory information as specified in this policy.
17. If the District initiates legal action (a lawsuit) against a parent, or if the parent initiates legal action against the District. In such circumstances, the District may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the District to proceed with legal action as the plaintiff or to defend itself.
18. If the release is to the Attorney General of the United States or to his/her designee in response to an ex parte order in connection with the investigation or prosecution of terrorism crimes specified in Sections 2331 and 2332 of Title 18, U.S. Code.

Under this exception, school officials are not required to record (i.e., on an access log) the disclosure of information from a student's education record when the school makes pursuant to an ex parte order.

Further, an educational institution that, in good faith, produces information from education records in compliance with an ex parte order shall not be liable to any person for that disclosure.

19. If the release is otherwise permitted under Federal law.

C. Record of Disclosures

Record of any requests or disclosures of personally identifiable student information shall be maintained except for disclosures to the parent, guardian, or eligible student; disclosure of directory information; or to any other school officials with a legitimate educational interest. The record of requests for disclosure shall include the following: the parties who have requested or obtained personally identifiable student information, the legitimate interests of the persons requesting or obtaining the information, and date parental/eligible student consent was obtained.

With regard to such disclosures, a school official is determined to be any employee of the Board with direct responsibility for providing services to students. A legitimate educational interest is determined to mean responsibility for providing direct educational services to students which will include teaching, counseling, psychological services, or other services to students which require access to personally identifiable information and/or those specified in the law.

D. Disclosures - Health or Safety Emergencies

Disclosure of personally identifiable student information may be made by school officials in the event of a health or safety emergency. Such emergency situations shall be declared in writing to the Superintendent by a recognized legal official with authority to declare such emergency. The declaration of a health or safety emergency shall include the need for specific personally identifiable student information, the time requirements for the information, and the parties to whom the information is disclosed who are responsible for utilizing the information to deal with the emergency.

**DIRECTORY INFORMATION**

The District shall make available, upon request, certain information known as directory information without prior permission of the parents or the eligible student. The District shall charge fees for copies of designated directory information as provided in State law. Directory information means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. The Board designates as student directory information: a student's name; photograph; address; telephone number, if it is a listed number; e-mail address; date and place of birth; participation in officially-recognized activities and sports; height and weight, if a member of an athletic team; dates of attendance; grade level; enrollment status; date of graduation or program completion; awards received; and most recent educational agency or institution attended. Designation of directory information shall occur at a regularly scheduled Board meeting. At the meeting, the Board shall consider whether designation of such information would put students at risk of becoming targets of marketing campaigns, the media, or criminal acts.

An annual written notice shall be given to inform parents, guardians, and eligible students of their rights of access, waiver of access, challenge and hearing, privacy, categories of personally identifiable student information designated as directory information data, and the location and availability of the District's policy on education records of students. Alternate methods of notice shall be made for parents, guardians, or eligible students unable to comprehend a written notice in English. Parents or eligible students may, by providing a written statement to the principal within two (2) weeks of the first day of the school year or entry into the school system request that all specific portions of directory information for that specific student not be released.

Directory information shall not be provided to any organization for profit-making purposes, unless the request is approved, in a nondiscriminatory manner, by the Superintendent.

In accordance with Federal law, the District shall release the names, addresses, District-assigned e-mail addresses (if available), and telephone listings of students in grades ten through twelve (10-12) to a recruiting officer for any branch of the United States Armed Forces or an institution of higher education who requests such information. Such data shall not be released if the eligible student or student's parents submit a written request not to release such information. The recruiting officer is to sign a form indicating that any information received by the recruiting officer shall be used solely for the purpose of informing students about military service and shall not be released to any person other than individuals within the recruiting services of the Armed Forces. The Superintendent is authorized to charge mailing fees for providing this information to a recruiting officer. A secondary school student or parent of the student may request that the student's name, address, District-assigned e-mail address (if available), and telephone listing not be released without parental consent.

Whenever parental consent is required for the inspection and/or release of a student's health or educational records or for the release of directory information, either parent may provide such consent unless agreed to otherwise in writing by both parents or specifically stated by court order. If the student is under the guardianship of an institution, the Superintendent shall appoint a person who has no conflicting interest to provide such written consent.

The District may disclose directory information on former students without student or parental consent.

### **Transfer of Student Records**

Student records shall be transferred in accordance with the requirements of F.A.C. Rule 6A-1.0955.

If applicable, the records to be transferred shall also include:

- A. verified reports of serious or recurrent behavior patterns, including threat assessment evaluations and intervention services; and
- B. psychological evaluations, including therapeutic treatment plans and therapy or progress notes created or maintained by School District or charter school staff, as appropriate.

The records shall be transferred within ~~three (3)~~ five (5) school days of receipt of a written request from the principal of the receiving school, the parent, guardian, or eligible student.

While all reasonable efforts shall be made to collect for damaged or lost library books or textbooks, under no conditions shall the transfer of a student's cumulative record be delayed or denied for failure to pay any fine or fee assessed by the school. Progress reports to parents (report cards) may not be withheld for failure to pay any fine, fee, or an assessment for lost or damaged books.

### **Procedures**

The Superintendent shall prepare administrative procedures to ensure that students and parents are adequately informed each year regarding their rights to:

- A. inspect and review the student's educational records;
- B. request amendments if the parent believes the record is inaccurate, misleading, or otherwise in violation of the student's privacy rights;
- C. consent to disclosures of personally identifiable information contained in the student's educational records, except to those disclosures allowed by the law;
- D. challenge District noncompliance with a parent's or eligible student's request to amend the records through a hearing;
- E. file a complaint with the Department of Education;
- F. obtain a copy of the District's policy and administrative procedures on student records.

The Superintendent shall also develop, and update as needed, procedures for:

- A. the proper storage and retention of records including a list of the type and location of record;
- B. informing District employees of the Federal and State laws concerning student records.

The District is authorized to use the microfilm process or electromagnetic processes of reproduction for the recording, filing, maintaining, and preserving of records.

No liability shall attach to any member, officer, or employee of this District specifically as a consequence of permitting access or furnishing student records in accordance with this policy and procedures.

### **Additional Safeguards for Student Education Records**

- A. Any entity receiving personally identifiable information pursuant to a study, audit, evaluation or enforcement/compliance activity must comply with all FERPA regulations. Further, such an entity must enter into a written contract with the Board delineating its responsibilities in safeguarding the disclosed information. Specifically, the entity must demonstrate the existence of a sound data security plan or data stewardship program, and must also provide assurances that the personally identifiable information will not be re-disclosed without prior authorization



from the Board. Further, the entity conducting the study, audit, evaluation or enforcement/compliance activity is required to destroy the disclosed information once it is no longer needed or when the timeframe for the activity has ended, as specified in its written agreement with the Board. See Form 8330 F14 and Form 8330 F16 for additional contract requirements.

**B. Required use of online educational services by students and parents**

In order to protect a student's PII from potential misuse and in order to protect students from data mining or targeting for marketing or other commercial purposes, the Board requires the review and approval of any online educational service that students or their parents are required to use as part of a school activity (1) regardless of whether there is a written agreement governing student use, (2) whether or not the online educational service is free, and (3) even if the use of the online educational service is unique to specific classes or courses. The following requirements also apply to online educational services:

1. The Superintendent is responsible for reviewing the online educational service's terms of service and privacy policy for compliance with State and Federal privacy laws, including FERPA and its implementing regulations, the Children's Online Privacy Protection Act (COPPA), 15 U.S.C. 6501-6506, and F.S. 1002.22;
2. The Superintendent is responsible for the review and approval of online educational services that will be required for students to use;
3. Parents and eligible students will be notified via email any time they are required to use an online educational service that collects student PII;
4. If student PII will be collected by the online educational service, parents and eligible students will be provided notification regarding the information that will be collected, how it will be used, when and how it will be destroyed, and the terms of re-disclosure, if any, in the following manner: via email.
5. The Board will not utilize any online educational service that will share or sell a student's PII for commercial purposes.
6. If a student is required to use an online educational service, the Board will include on its website a description of the student PII that may be collected, how it will be used, when it will be destroyed and the terms of re-disclosure. The website will also include a link to the online educational service's terms of service and privacy policy, if publicly available.

**C. Contracts or agreements with third-party vendors**

1. All contracts or agreements executed by or on behalf of the Board with a third-party vendor or a third-party service provider must protect the privacy of education records and student PII contained therein. Any agreement that provides for the disclosure or use of student PII must:
  - a. require compliance with FERPA, its implementing regulations, and F.S. 1002.22;
  - b. where applicable, require compliance with COPPA, 15 U.S.C. 6501-6506, and its implementing regulations;
  - c. ensure that only the student PII necessary for the service being provided will be disclosed to the third party;
  - d. prohibit disclosure or re-disclosure of student PII unless one of the conditions set forth in F.A.C. 6A-1.0955(11)(b) has been met.
2. Contracts or agreements with a third-party vendor or third-party service provider may permit the disclosure of student PII to the third party only where one or more of the following conditions has been met:
  - a. the disclosure is authorized by FERPA and 34 CFR §99.31;
  - b. the disclosure is authorized by the Board's directory information provisions set forth in this policy and implemented in accordance with FERPA and 34 CFR §99.37; or
  - c. the disclosure is authorized by written consent of an eligible student or parent. Consent must include, at a minimum, an explanation of who the student PII would be disclosed to, how it would be used, and whether re-disclosure is permitted. Any re-disclosure must meet the requirements of F.A.C. Rule 6A-1.0955(11)(b) and this policy.

**Request for Student Social Security Numbers at Enrollment**

When a student enrolls in a District school, the District shall request that the student provide their social security number and shall indicate whether the student identification number assigned to the student is their social security number. A student satisfies this requirement by presenting his/her social security card or a copy of the card to a school enrollment official. However, a student is not required to provide their social security number as a condition for enrollment or graduation.

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