



Book	Policy Manual
Section	Revised Special Update November 2022
Title	CRIMINAL BACKGROUND AND EMPLOYMENT HISTORY CHECKS
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Status	
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#### 1121.01 - **CRIMINAL BACKGROUND AND EMPLOYMENT HISTORY CHECKS**

The safety of its students is of paramount importance to the District. Consistent with this concern for student safety, and in compliance with Florida law, the District requires that, prior to initial employment, or re-employment if there has been a break in service, all candidates for all administrative positions shall be subject to a criminal background check to determine eligibility for employment. No individual, prior to receiving clearance to work from the Human Resources Department, shall receive any salary or other compensation or be allowed on School District property to provide services.

The application for employment shall inform the applicants that they are subject to criminal background and employment history checks.

The cost of the background screening related to initial employment or re-employment after a break in service will be borne by the candidate for employment.

Fingerprints of candidates for employment or re-employment if there has been a break in service shall be submitted to the Florida Department of Law Enforcement (FDLE) for statewide criminal and juvenile records checks and to the Federal Bureau of Investigation (FBI) for Federal criminal records checks. Also a review of the Department of Education's (DOE) Certification and Professional Practices Disciplinary databases will be conducted. A person who is found ineligible for employment under F.S. 1012.315, or otherwise found through background screening to have been convicted of any crime involving moral turpitude as defined by rule of the State Board of Education, any crime related to fraud or theft, felony possession of a concealed weapon, misdemeanor drug and/or paraphernalia offenses, misdemeanor battery/assault or cruelty to or neglect of animals, shall not be employed in any position. All other offenses and those outside of the timelines will also be considered. A pattern of behavior or an extensive criminal record may also render the applicant ineligible. 3 DUIs in the last ten years or 4 DUIs in a lifetime will make the applicant ineligible. For purposes of this policy, "convicted" means that there has been a determination of guilt as a result of a trial or the entry of a plea of guilty or nolo contendere, regardless of whether adjudication is withheld, and includes an adjudication of delinquency of a juvenile as specified in F.S. 943.0435.

Individuals whose fingerprints have not been retained by the FDLE must be re-fingerprinted and re-screened upon re-employment or re-engagement to provide services as an administrative staff member in order to comply with the law.

Furthermore, before employing an administrator in any position that requires direct contact with students, the hiring administrator shall conduct employment history checks of each of the candidate's previous employer(s), review each affidavit of separation from previous employers pursuant to F.S. 1012.31, screen the candidate through use of the educator screening tools described in F.S. 1001.10(5), and document the findings. If unable to contact a previous employer, the hiring administrator shall document efforts to contact the employer (F.S. 1012.27(6)).

Pursuant to State law, all administrators employed by the District must self-report arrests for any and all offenses regardless of the level of the charges within forty-eight (48) ~~business~~ hours. Failure to report arrests and/or convictions as required by this policy shall be grounds for termination of employment. (see AP 1121.01).

Applicants for employment are required to self-report any criminal history as required by the security portion of the School District's employment application. Failure to self-report criminal history as required is considered falsification of the application which may result in the termination of employment or the application to be denied. The application will be reviewed by the Superintendent. If termination occurs or the application is denied then applicants may re-apply under this section in one (1) year.

Additionally, the fingerprints of all administrators who are employed by the District and have no break in service must be re-submitted to the FDLE and to the FBI every five (5) years so that subsequent statewide criminal and juvenile records checks and Federal criminal records checks can be completed as required by law.

The cost of this subsequent background screening will be borne by the Board.

The information contained in reports received from the FDLE and the FBI is confidential.

Although permissible by State law, the District will not share information received as the result of the criminal background check with other school districts.

Furthermore, if information received as a result of the criminal history records check indicates that a certificated administrator has been convicted of certain crimes enumerated by law, the Superintendent must report this information to the Florida Department of Education per Policy 8141 - Mandatory Reporting of Misconduct by Certificated Employees.

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Revised 8/24/21

Revised 3/8/22

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Legal	F.S. 435.09
	F.S. 943.0435
	F.S. 943.0585(4)(a)
	F.S. 943.059(4)(a)
	F.S. 1001.41
	F.S. 1001.42
	F.S. 1012.23
	F.S. 1012.27
	F.S. 1012.315
	F.S. 1012.32
	F.S. 1012.56
	F.A.C. 6A-10.083

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Book	Policy Manual
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Title	SELECTION AND ADOPTION OF INSTRUCTIONAL MATERIALS
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## 2520 - **SELECTION AND ADOPTION OF INSTRUCTIONAL MATERIALS**

The School Board adopts courses of study pursuant to State law and Policy 2220. When adopting courses of study, State law also requires the Board to adopt and provide adequate instructional materials to students enrolled in the District.

"Adequate instructional materials" means a sufficient number of student or site licenses or sets of materials that are available in bound, unbound, kit, or package form and may consist of hard-backed or soft-backed textbooks, electronic content, consumables, learning laboratories, manipulatives, electronic media, and computer courseware or software that serves as the basis for instruction for each student in the core courses of mathematics, language arts, social studies, science, reading, and literature.

Furthermore, Federal law requires the Board to provide accessible instructional materials as specified in a student's Individualized Education Program (IEP). Such accessible instructional materials may be of a type or in a format as specified in the definition of adequate instructional materials in this policy.

As required by State law, instructional materials adopted and used in the District shall be consistent with the goals and objectives in the District's adopted course of study and with the course descriptions established by State Board rule. The Board is responsible for the content of all instructional materials and any other materials used in a classroom, made available in a school library, or included on a reading list.

The Superintendent shall develop administrative procedures that set forth a process to involve staff in the review and evaluation of instructional materials. The staff involved in this process shall recommend to the Superintendent for submission to the Board for adoption the instructional materials that address the goals and objectives for adopted courses of study and the course descriptions established by State Board rule. The instructional materials shall be from the State-adopted instructional materials list if there has been a State adoption or from publishers and other resources if there has not been a State adoption. A meeting of a committee for the purpose of ranking, eliminating, or selecting instructional materials for recommendation to the Board must be noticed and open to the public in accordance with F.S. 286.011. A committee convened for such purposes must include parents of District students.

The Superintendent's procedures shall also prescribe the process for the acquisition, management, use, accountability, and reporting requirements of all instructional materials.

### **Adoption of Instructional Materials**

Prior to submitting a recommendation to the Board regarding the recommended instructional materials, those materials will be accessible for review online for at least twenty (20) calendar days prior to the open publicly noticed meeting at which a public hearing will be held so that the Board can receive comment, if any, about the instructional material under consideration for adoption. The Superintendent shall establish reasonable safeguards against the unauthorized use, reproduction, and distribution of the instructional material under consideration.

Following the public hearing, the Board may act upon the Superintendent's recommendation to adopt the instructional materials. The Board will select, approve, and adopt all materials as a separate line item on the regular (non-consent) agenda and will provide a reasonable opportunity for public comment.

At an open publicly noticed meeting following the meeting at which the instructional material is adopted, the Board shall consider a recommendation to approve an annual instructional materials plan that identifies any instructional materials to be purchased pursuant to the instructional materials review process described herein.

The Superintendent shall maintain a list of all adopted instructional materials.

### **Publication on Website**

The Board will publish on its website, in a searchable format, a list of all instructional materials, including those used to provide required instruction under Florida law.

### **School Library Media Centers and Reading Lists**

Effective July 1, 2022, each book newly made available to students through a school library media center or included in a recommended or assigned school or grade level reading list must be selected and approved by a District employee who holds a valid educational media specialist certificate, regardless of whether the book is purchased, donated or otherwise made available to students.

### **Procedure**

The media specialist will endeavor to stay informed about appropriate new publications, using multiple sources, such as discussions with colleagues, attendance at conferences, and reading a variety of periodicals and book reviews. The media specialist will also receive and consider suggestions or requests brought forward by other faculty, students and parents.

Potential new books for the school library media center and reading lists will be evaluated to determine if they would be suitable for student needs and whether they would be appropriate for the intended grade level and age group. In considering possible new acquisitions, the media specialist will consult reputable, professionally recognized reviewing periodicals and school community stakeholders. The media specialist will also assess the level of student interest in the subject(s) presented and the ability of students to comprehend the material. Books that are selected must be free of pornography and material prohibited under F.S. 847.012.

The goal of the selection process is for the school's library media center and reading list collections to be based on reader interest, the support of ~~State~~ standards and aligned curriculum, and the academic needs of students and faculty.

After evaluation, the media specialist will inform the principal of those books that have been evaluated and are approved for inclusion in the collections.

Periodically, books will be removed from the collection or discontinued, based on their poor physical condition, low rate of recent circulation, non-alignment to ~~State~~ standards, out-of-date content, or status following a parent's or community member's objection.

The procedure for developing library media center and reading list collections will be posted on the website for each school in the District.

Upon written request, an individual will be provided access to material or books specified in the written request that are maintained in a District library if such material or books are available for review. The Principal shall arrange for a convenient time to provide such access.

Each elementary school must publish on its website, in a searchable format, a list of all materials maintained in the school library media center or required as part of a school or grade-level reading list.

### **Purchase of Instructional Materials**

Following adoption by the Board, requisitions shall be issued to purchase current instructional materials from the State-adopted instructional materials list so that each student in kindergarten through grade 12 will have a major tool of instruction in core courses of the subject areas of mathematics, language arts, science, social studies, reading, and literature. Any materials purchased shall be free of pornography and material prohibited under F.S. 847.12, suited to student needs and their ability to comprehend the material presented, and appropriate for the grade level and age group for which the materials are used or made available. The Board will purchase all materials as a separate line item on the regular (non-consent) agenda and will provide a reasonable opportunity for public comment.

Requisitions shall also be issued to purchase instructional materials that will be the major tool of instruction for subjects in the State Course Code Directory for which the Board has adopted courses of study, but for which there are no materials on the State-adopted instructional materials list.

The Superintendent shall approve these purchases.

In any year in which the total instructional materials allocation for District has not been expended or obligated prior to June 30th, the unobligated amount shall be carried forward and added to the next year's allocation.

The District shall maintain on its website a current list of instructional materials, by grade level, purchased by the District.

### **Replacement and Purchase of Instructional Materials by Students/Parents**

Students shall be held responsible for the cost of replacing any instructional materials lost, destroyed, or unnecessarily damaged. Failure to provide payment for the damage or loss may result in the suspension of the student from participation in extra-curricular activities, or the debt may be satisfied by the student performing community service activities at the school site as determined by the school principal.

Students or ~~their~~ ~~his/her~~ parent(s) may purchase a copy of the designated course instructional materials, regardless of format, for the District's purchase price, including shipping.

Cost of materials may be charged for materials used in those activities beyond the basic curriculum in which a student elects to participate, particularly in activities where the product becomes the property of the student.

### **Free School-Related Instructional Materials**

Free instructional materials may be accepted for classroom and school purposes under conditions that meet all the following criteria:

- A. The initiative for securing the materials should be of the type that teachers seek rather than materials forwarded to them to promote the interests of an outside agency.
- B. The materials should fill a legitimate purpose of the school curriculum.
- C. The advertising feature of the materials should be minimized.
- D. Educational films should contain a minimum amount of commercial advertising.

### **Equipment or Instructional Materials Vendors**

The principal may permit vendors to demonstrate and show only that equipment and instructional materials which can be used to improve the instructional program and which are under consideration for purchase by the school.

### **New Worlds Reading Initiative**

The New Worlds Reading Initiative, created by the Florida Department of Education, provides high-quality, free books directly to K-5 students who are reading below grade level and to improve the literacy skills of students in K-12. The District must notify parents of eligible students upon enrollment and at the beginning of each school year options for specific book topics or genres in order to maximize student interest in reading. The ~~District~~ ~~district~~ must coordinate monthly book deliveries with the program administrator beginning no later than October and continuing through at least June. The ~~District~~ ~~district~~ must participate in the initiative by partnering with local nonprofit organizations and raising awareness by using marketing materials provided by the program administrator. A student's eligibility for the initiative continues until promotion to grade 6 or until the parent opts out of the initiative.

The District shall coordinate with each charter school it sponsors for the purposes of identifying eligible students, notifying parents, coordinating book deliveries, providing the opportunity to annually select book topics and genres, and raising awareness of the initiative.

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Legal	F.S. 119.071
	F.S. 212.183
	F.S. 1001.215
	F.S. 1002.22
	F.S. 1003.485
	F.S. 1006.28
	F.S. 1006.28 through 1006.42
	F.S. 1008.22
	F.S. 1008.25(5) (a)
	F.S. 1008.25 (5) (c)
	F.S. 1014.05
	F.A.C. 6A-6.03028
	34 C.F.R. Part 300

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Book	Policy Manual
Section	Revised Special Update November 2022
Title	INSTRUCTIONAL MATERIALS PROGRAM
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## 2521 - **INSTRUCTIONAL MATERIALS PROGRAM**

The School Board shall provide instructional materials and equipment, within budgetary constraints, to implement the District's educational goals and objectives and to meet students' needs. The primary objective of such instructional materials and equipment shall be to enrich, support, and implement the educational program of the school. Instructional materials used in the District shall be consistent with the District goals and objectives and the course descriptions established by the State Board of Education and the State standards provided for in F.S. 1003.41.

State law requires the Board to provide adequate instructional materials free of charge to students who are enrolled in the District.

"Adequate instructional materials" means a sufficient number of student or site licenses or sets of materials that are available in bound, unbound, kit, or package form and may consist of hard-backed or soft-backed textbooks, electronic content, consumables, learning laboratories, manipulatives, electronic media, and computer courseware or software that serves as the basis for instruction for each student in the core courses of mathematics, language arts, social studies, science, reading, and literature.

Furthermore, Federal law requires the Board to provide accessible instructional materials as specified in a student's IEP. Such accessible instructional materials may be of a type or in a format as specified in the definition of adequate instructional materials in this policy.

The Board, hereby establishes an instructional materials program that includes the review, recommendation, adoption, and purchase of instructional materials. The program shall be implemented in accordance with the terms of this policy and administrative procedures adopted in accordance herewith. The program shall comply with all applicable provisions of F.S. Chapter 1006, Part I, F. Instructional Materials for K-12 Public Education.

The Superintendent shall certify to the Florida Department of Education (FLDOE) by March 31st of each year that all instructional materials for core courses used by the District are aligned with applicable State standards. A list of the core instructional materials that will be used or purchased for use by the District shall be included in the certification.

### **Selection, Duties, and Qualifications of Reviewers, Review of Instructional Materials, Recommendations of Reviewers, and Selection of Instructional Materials by Reviewer**

The Board may employ or contract with one (1) or more instructional materials reviewers, one (1) or more of whom must be a parent with a child in a District public school. The qualifications of the instructional materials reviewer shall be set forth in the Board-approved job description for the position, or, alternatively, in the contract for services. A meeting of a committee for the purpose of ranking, eliminating, or selecting instructional materials for recommendation to the Board must be noticed and open to the public in accordance with F.S. 286.011. A committee convened for such purposes must include parents of District students.

The duties of an instructional materials reviewer are:

#### **A. Procedures**

To adhere to prescribed procedures for evaluating instructional materials submitted by publishers and manufacturers in each

adoption.

**B. Review, Recommendations, and Selection of Instructional Materials by Reviewer**

1. Reviewers shall utilize the selection criteria set forth in State law, including F.S. 1006.34(2)(b) and recommend for adoption only those instructional materials aligned with State standards provided for in F.S. 1003.41.
2. Instructional materials recommended by each reviewer shall be, to the satisfaction of each reviewer, accurate, objective, balanced, noninflammatory, current, free of pornography and material prohibited under F.S. 847.12, and suited to student needs and their ability to comprehend the material presented. Reviewers shall consider for recommendation materials developed for academically talented students, such as students enrolled in advanced placement courses. When recommending instructional materials, each reviewer shall:
  - a. include only instructional materials that accurately portray the ethnic, socioeconomic, cultural, religious, physical, and racial diversity of our society, including men and women in professional, career, and executive roles and the role and contributions of the entrepreneur and labor in the total development of this State and the United States;
  - b. include only materials that accurately portray, whenever appropriate, humankind's place in ecological systems, including the necessity for the protection of our environment and conservation of our natural resources and the effects on the human system of the use of tobacco, alcohol, controlled substances, and other dangerous substances;
  - c. include materials that encourage thrift, fire prevention, and humane treatment of people and animals;
  - d. require, when appropriate to the comprehension of students, that materials for social science, history, or civics classes contain that Declaration of Independence and the Constitution of the United States;

A reviewer may not recommend any instructional materials that contain any matter reflecting unfairly upon persons because of their race, color, creed, national origin, ancestry, gender, religion, disability, socioeconomic status, or occupation.

3. In the selection of instructional materials, library media, and other reading material used in the public school system, the standards used to determine the propriety of the material shall include:
  - a. the age of the students who normally could be expected to have access to the material;
  - b. the educational purpose to be served by the material;

In considering instructional materials for classroom use, priority shall be given to the selection of materials which encompass the State and Board performance standards provided for in F.S. 1001.03(1) and which include the instructional objectives contained within the curriculum frameworks approved by rule of the State Board of Education.

  - c. the degree to which the material would be supplemented and explained by mature classroom instruction as part of a normal instructional program;
  - d. the consideration of the broad racial, ethnic, socioeconomic, and cultural diversity of the students of this State.
4. Any instructional material containing pornography or otherwise prohibited by F.S. 847.012 may not be used or made available within any public school.
5. After a thorough study of all data submitted on each instructional material, the reviewer shall submit an electronic report to the Superintendent for presentation to the Board. The report shall be in substantially the same format as the form used by the FLDOE. All instructional materials recommended by a reviewer shall be accompanied by a statement from the reviewer that the materials align with State standards pursuant to F.S. 1003.41 and the requirements of F.S. 1006.31.

**Certification of the Accuracy of Instructional Materials**

In addition to relying on statements of publishers or manufacturers of instructional materials, the reviewer may, with the approval, and subject to the direction of the Superintendent, conduct or cause to be conducted an independent investigation to determine the accuracy of State-adopted instructional materials.



When errors in Board-adopted materials are confirmed, the publisher of the materials shall provide to each district school board that has purchased the materials the corrections in a format approved by the department.

The Board may remove materials from the list of Board-adopted materials if it finds that the content is in error and the publisher refuses to correct the error when notified by the Board.

The Board may remove materials from the list of Board-adopted materials at the request of the publisher if, in its opinion, there is no material impact on the State's education goals.

### **Affidavit of Instructional Materials Reviewer**

Before commencing ~~their his/her~~ duties, District instructional materials reviewers shall execute an affidavit which substantially includes the following requirements of F.S. 1006.30:

- A. The reviewers will faithfully discharge the duties imposed upon ~~them him/her~~.
- B. The reviewers have no interest in any publishing or manufacturing organization that produces or sells instructional materials.
- C. The reviewers are in no way connected with the distribution of the instructional materials.
- D. The reviewers do not have any direct or indirect pecuniary interest in the business or profits of any person engaged in manufacturing, publishing, or selling instructional materials designed for use in the public schools.
- E. The reviewers will not accept any emolument or promise of future reward of any kind from any publisher or manufacturer of instructional materials or ~~their his/her~~ agent or anyone interest in, or intending to bias ~~their his/her~~ judgment in any way in, the selection of any materials to be adopted.
- F. The reviewers understands that it is unlawful to discuss matters relating to instructional materials submitted for adoption with any agent of a publisher or manufacturer of instructional materials, either directly or indirectly, except during the period when the publisher or manufacturer is providing a presentation for the reviewer during ~~their his/her~~ review of the instructional materials submitted for adoption.

### **Board Adoption of Instructional Materials**

After receipt from the Superintendent of a reviewer's electronic report and recommendation, the Board shall publish a notice indicating the date, time, and location of an open public hearing to address the recommended instructional materials. The public shall have an opportunity to provide public comment at the public hearing.

Following the public hearing, the Board shall publish notice indicating the date, time, and location of an open public meeting to approve an annual instructional materials plan to identify any instructional materials that will be purchased through the Board instructional materials review process pursuant to this policy. This public meeting will be held on a different date than the public hearing. The Board will select, approve, and adopt all materials as a separate line item on the regular (non-consent) agenda and will provide a reasonable opportunity for public comment.

Notice of the public hearing and public meeting identified herein shall specifically identify which instructional materials are being reviewed and the manner in which the instructional materials can be accessed for public review. The hearing must allow the parent of a District student or a resident of the county to proffer evidence that a recommended instructional material does not meet the criteria provided in F.S. 1006.31(2), taking into consideration course expectations based on the District's comprehensive plan for student progression under F.S. 1008.25(2) and course descriptions in the course code directory.

For purposes of this policy, "resident" means residents of the county who have maintained ~~their his/her~~ residence in Florida for the preceding year, have purchased a home that is occupied by ~~them him/her~~ as ~~their his/her~~ residence, or have established a domicile in Florida pursuant to F.S. 222.17.

At least twenty (20) calendar days before the Board hearing and public meeting, the Board shall make available online to the public through the District's website all student editions of the recommended instructional materials. In making these materials available, District staff shall implement reasonable safeguards against the unauthorized use, reproduction, and distribution of instructional materials considered for adoption.

### **Publication on Website**

The Board will publish on its website, in a searchable format, a list of all instructional materials, including those used to provide required instruction under Florida law.

### **School Library Media Centers and Reading Lists**

Effective July 1, 2022, each book newly made available to students through a school library media center or included in a recommended or assigned school or grade level reading list must be selected and approved by a District employee who holds a valid educational media specialist certificate, regardless of whether the book is purchased, donated, or otherwise made available to students.

## **Procedure**

The media specialist will endeavor to stay informed about appropriate new publications that become available, using multiple sources, such as discussions with colleagues, attendance at conferences, and reading a variety of periodicals and book reviews. The media specialist will also receive and consider suggestions and requests brought forward by other faculty, students, and parents.

Potential new books for the school library media center will be evaluated to determine if they would be suitable for student needs, and whether they would be appropriate for the intended grade level and age group. In considering new acquisitions, the media specialist will consult reputable, professionally recognized reviewing periodicals and school community stakeholders. The media specialist will also assess student interest in the subject(s) presented and the ability of students to comprehend the material presented. Books selected must be free of pornography and material prohibited under F.S. 847.012.

The goal of the selection process is for the school's library media center and reading list collections to be based on reader interest, the support of state academic standards and aligned curriculum, and the academic needs of students and faculty.

After evaluation, the media specialist will inform the principal or Supervisor of Literacy, Intervention & Elementary Academic Programs of those books that have been evaluated and are approved for inclusion in the collections.

Periodically, books will be removed from the collections or discontinued, based on their poor physical condition, low rate of recent circulation, non-alignment to state standards, out-of-date content, or status following a parent's or community member's objection.

The procedures for developing library media center and reading list collections will be posted on the website for each school in the District.

## **Access**

Upon written request, an individual will be provided access to material or books specified in the written request that are maintained in a District library if such material or books are available for review. The school principal shall arrange for a convenient time to provide such access.

Each elementary school will publish on its website, in a searchable format, a list of all materials maintained in the school library media center which can be checked out or used by a student or required as part of a school or grade-level reading list.

The format must:

A. identify the type of material maintained in the library media center by category, such as books, ebooks, periodicals, and videos;

B. list, at a minimum, the following information:

1. the title and author for books and ebooks;
2. the name or title for periodicals and videos; and,
3. the title for any other material maintained in the media center.

C. Books and ebooks must be searchable by, at a minimum, author and title. All other materials must be searchable by, at a minimum, title.

## **Purchase of Instructional Materials, Including Advertising and Bidding**

Beginning on or before May 15th of any year in which an instructional materials adoption is to be initiated, the District shall advertise in a local newspaper of general circulation four (4) weeks preceding the date on which the bids shall be received, that at a certain designated time, not later than June 15th, sealed bids or proposals to be deposited with the District will be received from publishers or manufacturers for the furnishing of instructional materials proposed to be adopted as listed in the advertisement beginning April 1st following the adoption.

The advertisement shall state that each bidder shall furnish electronic sample copies of all instructional materials submitted, at a time designated by the District, which copies shall be identical with the copies approved and accepted by State instructional materials reviewers, and with the copies furnished to the District and Superintendent.

The advertisement shall state that a contract covering the adoption of the instructional materials shall be for a definite term.

The advertisement shall fix the time within which the required contract must be executed and shall state that the District reserves the right to reject any or all bids.

The advertisement shall give information regarding digital specifications that have been adopted by the Board, including minimum format requirements that will enable electronic and digital content to be accessed through the District's local instructional improvement system and a variety of mobile, electronic, and digital devices. Beginning with specifications released in 2014, the digital specifications shall include requiring the capability for searching by State standards and site and student-level licensing. Such digital format specifications shall be appropriate for the interoperability of the content. The Board will not adopt specifications that require the instructional materials to include specific references to State mandated testing and State academic standards and benchmarks at the point of student use.

The bids submitted shall be for furnishing the designated materials in accordance with specifications of the District. The bid shall state the lowest wholesale price at which the materials will be furnished, at the time the adoption period provided in the contract begins. The Board will purchase all materials as a separate line item on the regular (non-consent) agenda and will provide a reasonable opportunity for public comment.

Each publisher or manufacturer of instructional materials who submits a bid under this part is required to deposit with the District such sum of money or certified check as may be determined by the District, the amount to be not less than \$500 and not more than \$2,500, according to the number of instructional materials covered by the bid, which deposit shall be forfeited to the Board and placed in the (General Revenue Fund) General Fund if the bidders making the deposit fail or refuse to execute the contract and bond within thirty (30) days after receipt of the contract in case ~~their~~ ~~his/her~~ bid or proposal is accepted. The District shall, upon determining that the deposit is correct and proper, deposit the funds in an interest bearing trust account and issue ~~an~~ ~~his/her~~ official receipt.

Sample copies of all instructional materials that have been made the bases of contracts under this policy shall upon request for the purpose of public inspection, be made available by the publisher to the Department of Education and the Superintendent from the ~~State~~ ~~state~~ list upon request for the purpose of public inspection.

Any materials purchased shall be free of pornography and material prohibited under F.S. 847.12, suited to student needs and their ability to comprehend the material presented, and appropriate for the grade level and age group for which the materials are used or made available.

The District shall maintain on its website a current list of instructional materials, by grade level, purchased by the District.

### **Review Cycle for Instructional Materials by Subject Area**

By April 15th of each school year, the instructional material reviewer shall review all instructional materials and evaluate the content for alignment with applicable State Standards. The reviewer shall review the materials for the level of instructional support and the accuracy and appropriateness of progression of introduced content. Instructional materials shall be made electronically available to the reviewer. The reviewer shall rate the material on the instructional usability of the resources.

### **Compliance with F.S. 1006.32, Relating to Prohibited Acts**

In accordance with State law, this policy strictly prohibits any individual or the Board from engaging in any of the prohibited acts set forth in F.S. 1006.32.

### **Parental Notification of Access to Student's Instructional Materials and Access to Materials and Books in District Libraries**

The District shall notify parents through the District's website and in writing annually of their ability to access their children's instructional materials through the District's local instructional improvement system. The notification shall encourage parents to access the local instructional improvement system.

Upon written request, an individual will be provided access to material or books specified in the written request that are maintained in a District library if such material or books are available for review. The school principal shall arrange for a convenient time to provide such access.

### **Maximization of Student Use of District-approved Instructional Materials**

In order to maximize student use of authorized instructional materials, the Board shall:

- A. purchase current instructional materials to provide each student with a major tool of instruction in core courses of the subject areas of mathematics, language arts, science, social studies, reading, and literature for kindergarten through grade 12;
- B. by the 2015-2016 fiscal year, use at least fifty percent (50%) of the annual allocation for the purchase of digital or electronic instructional materials included on the State-adopted list, except as otherwise authorized by law or rules of the State Board of Education;
- C. use up to 100% of that portion of the annual allocation designated for the purchase of instructional materials for kindergarten, and up to seventy-five percent (75%) of that portion of the annual allocation designated for the purchase of instructional materials for first grade, to purchase materials not on the State-adopted list, which shall be used for the purchase of instructional materials or other items having intellectual content which assist in the instruction of a subject or course.

These items may be available in bound, unbound, kit, or package form and may consist of hardbacked or softbacked textbooks, electronic content, replacements for items which were part of previously purchased instructional materials, consumables, learning laboratories, manipulatives, electronic media, computer courseware or software, and other commonly accepted instructional tools.

The Superintendent shall implement procedures that will assure the maximum use by the students of the authorized instructional materials.

### **Required Curriculum**

Nothing in this policy shall limit or remove the responsibility of the Board to include in its curriculum the required instruction specified in State law including, but not limited to, the following:

- A. The history of the United States; the history of the Holocaust.
- B. The history of African Americans.
- C. The study of Hispanic contributions to the United States.
- D. The study of women's contributions to the United States.
- E. The nature and importance of free enterprise to the United States economy.
- F. The elementary principles of agriculture; and kindness to animals.

### **Publisher and Manufacturer Duties, Responsibilities, and Requirements**

In accordance with State law, all publishers and manufacturers of instructional materials, and their representatives, must comply with the requirements of F.S. 1006.38. These requirements include, but are not limited to, the following:

- A. Electronically deliver fully developed sample copies of all instructional materials upon which bids are based to the department pursuant to procedures adopted by the State Board of Education.
- B. Submit, at a time designated in F.S. 1006.33, the following information:
  - 1. Detailed specifications of the physical characteristics of the instructional materials, including any software or technological tools required for use by the District, school, teachers, or students. The publisher or manufacturer shall comply with these specifications if the instructional materials are adopted and purchased in completed form.
  - 2. Evidence that the publisher or manufacturer has provided materials that address the performance standards provided for in F.S. 1001.03(1) and that can be accessed through the District's digital classrooms plan and a variety of electronic, digital, and mobile devices.
  - 3. Evidence that the instructional materials include specific reference to Statewide standards in the teacher's manual and incorporate such standards into chapter tests or the assessments.
- C. Make available for purchase by the Board any diagnostic, criterion-referenced, or other tests that they may develop.
- D. Furnish the instructional materials offered by them at a price in the State which, including all costs of electronic transmission, may not exceed the lowest price at which they offer such instructional materials for adoption or sale to any state or school district in the United States.

- E. Reduce automatically the price of the instructional materials to the Board to the extent that reductions are made elsewhere in the United States.
- F. Provide any instructional materials free of charge in the State to the same extent as they are provided free of charge to any state or school district in the United States.
- G. Guarantee that all copies of any instructional materials sold in this State will be at least equal in quality to the copies of such instructional materials that are sold elsewhere in the United States and will be kept revised, free from all errors, and up-to-date as may be required by the department.
- H. Agree that any supplementary material developed at the District or State level does not violate the author's or publisher's copyright, provided such material is developed in accordance with the doctrine of fair use.
- I. Not in any way, directly or indirectly, become associated or connected with any combination in restraint of trade in instructional materials, nor enter into any understanding, agreement, or combination to control prices or restrict competition in the sale of instructional materials for use in the State.
- J. Maintain or contract with a depository in the State.
- K. For the core subject areas specified in F.S. 1006.40(2), maintain in the depository for the first three (3) years of the contract an inventory of instructional materials sufficient to receive and fill orders.
- L. For the core subject areas specified in F.S. 1006.40(2), ensure the availability of an inventory sufficient to receive and fill orders for instructional materials for growth, including the opening of a new school, and replacement during the 3rd and subsequent years of the original contract period.
- M. Accurately and fully disclose only the names of those persons who actually authored the instructional materials.
- N. Grant, without prior written request, for any copyright held by the publisher or its agencies automatic permission to the Board for the reproduction of instructional materials and supplementary materials in Braille, large print, or other appropriate format for use by visually impaired students or other students with disabilities that would benefit from use of the materials.

### **Assessment and Collection of Fees**

The Board shall not assess and collect fees from publishers participating in the instructional materials approval process.

The amount of fees assessed and collected shall be posted on the District's website and reported to the Florida Department of Education. The fees shall not exceed the actual cost of the review process, and the fees shall not exceed \$3,500 per submission by a publisher. Any fees collected for this process shall be allocated for the support of the review process and maintained in a separate line item for auditing purposes.

The fees shall be used to cover the actual cost of substitute teachers for each workday that a member of the District's instructional staff is absent from ~~the employee's his/her~~ assigned duties for the purpose of rendering service as an instructional materials reviewer. In addition, each reviewer may be paid a stipend and is entitled to reimbursement for travel expenses and per diem in accordance with F.S. 112.061 for actual service in meetings.

Instructional materials that have been reviewed by the District instructional materials reviewers and approved must have been determined to align with all applicable State standards pursuant to F.S. 1003.41 and the requirements in F.S. 1006.31. The Superintendent shall annually certify to the FLDOE that all instructional materials for core courses used by the District are aligned with all applicable State standards.

A list of all approved instructional materials shall be maintained by the Superintendent and made available for the use of the instructional staff.

### **Fees Charged to Parents**

Students or ~~their his/her~~ parent(s) may purchase a copy of the designated course instructional materials, regardless of format, for the District's purchase price, including shipping, plus ten percent (10%).

Cost of materials may be charged for materials used in those activities beyond the basic curriculum in which a student elects to participate, particularly in activities where the product becomes the property of the student.

### **Free School-Related Instructional Materials**

Free instructional materials may be accepted for classroom and school purposes under conditions that meet all the following criteria:

- A. Educational films should contain a minimum amount of commercial advertising.
- B. The advertising feature of the materials should be minimized.
- C. The materials should fill a legitimate purpose of the school curriculum.
- D. The initiative for securing the materials should be of the type that teachers seek rather than materials forwarded to them to promote the interests of an outside agency.

#### **Equipment or Instructional Materials Vendors**

The principal may permit vendors to demonstrate and show only that equipment and instructional materials which can be used to improve the instructional program and which are under consideration for purchase by the school.

#### **Public Inspection of Sample Copies of Instructional Materials**

In addition to the requirements for public inspection of sample copies of instructional materials required by this policy, the Board shall make available for public inspection sample copies of all instructional materials that have been purchased by the Board. Members of the public seeking to inspect these materials shall contact the Directors of Elementary and Secondary Curriculum.

The process to challenge and/or object to the adoption of instructional materials is set forth in Policy 2520.

#### **New Worlds Reading Initiative**

The New Worlds Reading Initiative, created by the Florida Department of Education, provides high-quality, free books directly to K-5 students who score below a level 3 in the preceding year's Statewide English Language Arts Assessment (ELA) or having a substantial reading deficiency. The School District must notify parents of eligible students upon enrollment and at the beginning of each school year options for specific book topics or genres in order to maximize student interest in reading. The District must coordinate monthly book deliveries with the program administrator beginning no later than October and continuing through at least June. The District must participate in the initiative by partnering with local nonprofit organizations and raising awareness by using marketing materials provided by the program administrator. A student's eligibility for the initiative continues until promotion to grade 6 or until the parent opts out of the initiative.

The District shall coordinate with each charter school it sponsors for the purposes of identifying eligible students, notifying parents, coordinating book deliveries, providing the opportunity to annually select book topics and genres, and raising awareness of the initiative.

The Statewide ELA is not the sole determiner of promotion. Additional evaluations, portfolio reviews, and assessments are available to the child to assist parents and schools in identifying the reading level of the student. A parent of a student in grade 3 who is identified anytime during the year as being at risk of retention may request that the school begin collecting evidence for a portfolio.

Legal	F.S. 119.071
	F.S. 1001.215
	F.S. 1002.22
	F.S. 1003.41
	F.S. 1003.485
	F.S. 1006.28
	F.S. 1006.28 through 1006.42
	F.S. 1008.22
	F.S. 1008.25(5) (a)
	F.S. 1008.25(5) (c)
	F.S. 1014.05
	F.A.C. 6A-6.03028
	34 C.F.R. Part 300

**Last Modified by Maria Cain on January 5, 2023**

Book	Policy Manual
Section	Revised Special Update November 2022
Title	CRIMINAL BACKGROUND AND EMPLOYMENT HISTORY CHECKS
Code	po3121.01 MG 1-3-2023
Status	
Adopted	June 13, 2017
Last Revised	March 8, 2022

### 3121.01 - **CRIMINAL BACKGROUND AND EMPLOYMENT HISTORY CHECKS**

The safety of its students is of paramount importance to the District. Consistent with this concern for student safety, and in compliance with Florida law, the District requires that, prior to initial employment or re-employment if there has been a break in service, all candidates for all positions shall be subject to a criminal background check to determine eligibility for employment. No individuals, prior to receiving clearance to work from the Human Resources Department, shall receive any salary or other compensation or be allowed on School District property to provide services.

The application for employment shall inform the applicants that they are subject to criminal background and employment history checks.

The cost of the background screening related to initial employment or re-employment after a break in service will be borne by the candidate for employment.

Fingerprints of candidates for employment or re-employment if there has been a break in service shall be submitted to the Florida Department of Law Enforcement (FDLE) for Statewide criminal and juvenile records checks and to the Federal Bureau of Investigation (FBI) for Federal criminal records checks. Also a review of the Department of Education's (DOE) Certification and Professional Practices Disciplinary databases will be conducted. A person who is found ineligible for employment under F.S. 1012.315, or otherwise found through background screening to have been convicted of any crime involving moral turpitude as defined by rule of the State Board of Education, any crime related to fraud or theft, felony possession of a concealed weapon, misdemeanor drug and/or paraphernalia offenses, misdemeanor battery/assault or cruelty to or neglect of animals, shall not be employed in any position. All other offenses and those outside of the timelines will also be considered. A pattern of behavior or an extensive criminal record may also render the applicant ineligible. 3 DUIs in the last ten years or 4 DUIs in a lifetime will make the applicant ineligible. For purposes of this policy, "convicted" means that there has been a determination of guilt as a result of a trial or the entry of a plea of guilty or nolo contendere, regardless of whether adjudication is withheld, and includes an adjudication of delinquency of a juvenile as specified in F.S. 943.0435.

Individuals whose fingerprints have not been retained by the FDLE must be re-fingerprinted and re-screened upon re-employment or re-engagement to provide services as an instructional staff member in order to comply with the law.

Furthermore, before employing instructional personnel in any position that requires direct contact with students, the hiring administrator shall conduct employment history checks of each of the candidate's previous employer(s), review each affidavit of separation from previous employers pursuant to F.S. 1012.31, screen the candidate through use of the educator screening tools described in F.S. 1001.10(5), and document the findings. If unable to contact a previous employer, the hiring administrator shall document efforts to contact the employer (F.S. 1012.27(6)).

Pursuant to State law, all instructional staff members employed by the District must self-report arrests for any and all offenses regardless of the level of the charges within forty-eight (48) ~~business~~ hours. Failure to report arrests and/or convictions as required by this policy shall be grounds for termination of employment (see AP 3121.01).



Applicants for employment are required to self-report any criminal history as required by the security portion of the School District's employment application. Failure to self-report criminal history as required is considered falsification of the application which will result in the termination of employment or otherwise cause the application to be denied. Applicants may re-apply under this section in one year.

Additionally, the fingerprints of all instructional staff members who are employed by the District and have no break in service must be re-submitted to the FDLE and to the FBI every five (5) years so that subsequent Statewide criminal and juvenile records checks and Federal criminal records checks can be completed as required by law.

The cost of this subsequent background screening will be borne by the Board.

The information contained in reports received from the FDLE and the FBI is confidential.

Although permissible by State law, the District will not share information received as the result of the criminal history background check with other school districts.

Furthermore, if information received as a result of the criminal history records check indicates that a certificated instructional staff member has been convicted of certain crimes enumerated by law, the Superintendent must report this information to the Florida Department of Education per Policy 8141 - Mandatory Reporting of Misconduct by Certificated Employees.

Revised 2/27/18

Revised 2/11/20

Revised 8/24/21

Revised 3/8/22

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Legal	F.S. 435.09
	F.S. 943.0435
	F.S. 943.0585(4)(a)
	F.S. 943.059(4)(a)
	F.S. 1001.10(5)
	F.S. 1001.41
	F.S. 1001.42
	F.S. 1012.23
	F.S. 1012.27(6)
	F.S. 1012.315
	F.S. 1012.32
	F.S. 1012.56
	F.A.C. 6A-10.083

**Last Modified by Matthew Goldrick on January 3, 2023**

Book	Policy Manual
Section	Revised Special Update November 2022
Title	CRIMINAL BACKGROUND AND EMPLOYMENT HISTORY CHECKS
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Status	
Adopted	June 13, 2017
Last Revised	March 8, 2022

#### 4121.01 - **CRIMINAL BACKGROUND AND EMPLOYMENT HISTORY CHECKS**

The safety of its students is of paramount importance to the District. Consistent with this concern for student safety, and in compliance with Florida law, the District requires that, prior to initial employment or re-employment if there has been a break in service, all candidates for all positions shall be subject to a criminal background check to determine eligibility for employment. No individual, prior to receiving clearance to work from the Human Resources Department shall receive any salary or other compensation or be allowed on School District property to provide services.

The application for employment shall inform the applicants that they are subject to criminal background and employment history checks.

The cost of the background screening related to initial employment or re-employment after a break in service will be borne by the candidate for employment.

Fingerprints of candidates for employment or re-employment if there has been a break in service shall be submitted to the Florida Department of Law Enforcement (FDLE) for Statewide criminal and juvenile records checks and to the Federal Bureau of Investigation (FBI) for Federal criminal records checks.

A person who is found ineligible for employment under F.S. 1012.315, or otherwise found through background screening to have been convicted of any crime involving moral turpitude as defined by rule of the State Board of Education, any crime related to fraud or theft, felony possession of a concealed weapon, misdemeanor drug and/or paraphernalia offenses, misdemeanor battery/assault or cruelty to or neglect of animals, or otherwise found ineligible for employment under F.S. 1012.315, shall not be employed in any position. All other offenses and those outside of the timelines will also be considered. A pattern of behavior or an extensive criminal record may also render the applicant ineligible. 3 DUIs in the last ten years or 4 DUIs in a lifetime will make the applicant ineligible. For purposes of this policy, "convicted" means that there has been a determination of guilt as a result of a trial or the entry of a plea of guilty or nolo contendere, regardless of whether adjudication is withheld, and includes an adjudication of delinquency of a juvenile as specified in F.S. 943.0435.

Individuals whose fingerprints have not been retained by the FDLE must be re-fingerprinted and re-screened upon re-employment or re-engagement to provide service as a support staff member.

Furthermore, before employment of support staff in any position, the hiring administrator shall conduct employment history checks of each of the candidate's previous employer(s), review each affidavit of separation from previous employers pursuant to F.S. 1012.31, and document the findings.

All support staff members employed by the District must self-report arrests for any and all offenses regardless of the level of the charges within forty-eight (48) ~~business~~ hours (see AP 4121.01). Failure to report arrests or convictions as required by this policy shall be grounds for termination of employment.

Applicants for employment are required to self-report any criminal history as required by the security portion of the School District's employment application. Failure to self-report criminal history as required is considered falsification of the application which

may result in the termination of employment or the application to be denied. The application will be reviewed by the Superintendent. If termination occurs or the application is denied then applicants may re-apply under this section in one (1) year.

Additionally, the fingerprints of all support staff members who are employed by the District and have no break in service must be re-submitted to the FDLE and to the FBI every five (5) years so that subsequent Statewide criminal and juvenile records checks and Federal criminal records checks can be completed as required by law.

The cost of this subsequent background screening will be borne by the Board.

The information contained in reports received from the FDLE and the FBI is confidential.

Although permissible by State law, the District will not share information received as the result of the criminal history background check with other school districts.

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Legal	F.S. 435.09
	F.S. 943.0435
	F.S. 943.0585(4)(a)
	F.S. 943.059(4)(a)
	F.S. 1001.10(5)
	F.S. 1001.41
	F.S. 1001.42
	F.S. 1012.27(6)
	F.S. 1012.315
	F.S. 1012.32
	F.S. 1012.56
	F.A.C. 6A-10.083

**Last Modified by Matthew Goldrick on January 3, 2023**

Book	Policy Manual
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Title	HOMELESS STUDENTS
Code	po5111.01amk 12.7.22
Status	
Adopted	June 13, 2017
Last Revised	February 23, 2021

#### 5111.01 - **HOMELESS STUDENTS**

Children and youth who are identified by the District as meeting the Federal definition of "homeless", including those not currently enrolled due to homelessness, will be provided the same free appropriate public education (FAPE) provided to other children and youth, including preschool education, and other services needed to ensure an opportunity to meet the same challenging state academic standards to which all students are held in the same manner as all other students of the District. The District will remove barriers to identifying homeless children and youth and to the enrollment and retention of homeless children and youth. To that end, homeless children and youth 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).

Homeless children and youth, including "certified homeless youth" under State law, are defined as individuals who lack a fixed, regular, and adequate nighttime residence, 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
- B. live in motels, hotels, trailer parks, or camping grounds due to a lack of alternative adequate accommodations
- C. live in emergency or transitional shelters, designed to provide temporary living accommodations
- D. are abandoned in hospitals
- E. have a primary night time 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.

Pursuant to the McKinney-Vento Act, unaccompanied youth means a children or youth that are not in the physical custody of a parent or guardian. Under State law unaccompanied homeless youth who are sixteen (16) years of age or older and found to be unaccompanied homeless youth eligible for services under Federal law shall be issued a certificate by the District's Liaison for Homeless Children on District letterhead documenting **their** ~~his/her~~ 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-F above.

#### **Services to Homeless Children and Youth**

The District, through each school, will provide services to homeless children and youth that are comparable to other students in the District, including:

- A. transportation services;
- B. preschool programs administered by the LEA and other educational programs and services for which the homeless children and youth meets eligibility criteria including:
  - 1. programs for children with disabilities
  - 2. programs for English learners (ELs) (i.e., students with Limited English Proficiency (LEP));
  - 3. programs in career and technical education;
  - 4. programs for gifted and talented students;
  - 5. school nutrition programs; ~~and~~
  - 6. before - and after-school programs;
  - 7. appropriate credit for full or partial coursework satisfactorily completed in a prior school program, and
  - 8. Title I programs.
- C. Unaccompanied homeless high school youth will receive counseling to prepare and improve their readiness for postsecondary education.
- D. Children and youth experiencing homelessness will have access to all available academic and extracurricular activities for which they meet relevant criteria.

The Superintendent will appoint a Liaison for Homeless Children and Youth who will perform the duties described in the McKinney-Vento Act, and duties as assigned by the Superintendent. Additionally, the Liaison will coordinate and collaborate with the State Coordinator for the Education of Homeless Children and Youth as well as with community and school personnel responsible for the provision of education and related services to homeless children and youths. The liaison will collaborate with other school districts, community service providers, and organizations including:

- A. Local social services and other community agencies to provide support to homeless children and youth and their families;
- B. Other school districts regarding homeless student related transportation, transfer of school records, and other inter-district activities as needed;
- C. Housing authorities; and
- D. Exceptional students' 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 child or youth'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 will continue 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~~ ~~he or she is~~ an unaccompanied youth. The school of origin is the school the child or youth attended when permanently housed, or the school in which the child or youth was last enrolled, including a preschool program administered by the LEA. 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 best interest of the child or youth, 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).

If the District finds that it is not in best interest of the child or youth 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 identify homeless children and youth and remove barriers to the enrollment and retention of children and youth. The District will either allow the child or youth to remain enrolled in the student's school of origin or shall immediately enroll the homeless child or youth in the school in which enrollment is sought, either the school zoned for the address where the student is residing or another school which students residing in that attendance zone are eligible to attend. The homeless child or youth must be immediately enrolled, which includes attending classes and participating fully in school activities, even if the student does not have the documentation typically necessary for enrollment, such as previous academic records, immunization and other required health records, proof of residency, proof of guardianship, birth certificate, uniform or dress code requirements, outstanding fees, fines or absences or previous academic records and other required documents. 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 child or youth to obtain relevant academic or other records. If the homeless child or youth 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 extracurricular 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 children or youth 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 children or youth continue to live in the District, transportation shall be provided, or the District shall arrange for the students' transportation, to/from **their** ~~his/her~~ school of origin.
- B. If the homeless children or youth reside in another school district, but the best interest determination is that the students should continue **their** ~~his/her~~ education at the school of origin in the District, the District and the school district in which the students now reside 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 children or youth 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 children or youth resides in the District, but the best interest determination is that the students should continue **their** ~~his/her~~ education at the school of origin in another district, the District and the school district in which the students' 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** ~~not~~ agreement, the District shall assume responsibility to transport the children or youth 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.

E. In the case of an unaccompanied child or youth, transportation to and from a school of origin will be provided or arranged at the request of the District's designated liaison for the homeless children and youth.

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.

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 either allow the child, youth or unaccompanied youth, to remain enrolled in the student's school of origin or shall immediately enroll the homeless child or youth in the school in which enrollment is sought, either the school zoned for the address where the students is residing or another school which students residing in that attendance zone are eligible to attend, pending final resolution of the dispute, including all appeals. The children or youth will receive all services for which they are eligible until all disputes and appeals are resolved, including unaccompanied youth.

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 will render a final 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 dominate 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** **Federal** laws.

### **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 children or youth 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 children or youth 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 children and youth shall be maintained, subject to the protections of the General Education Provisions Act under Section 444 (GEPA) and 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. Records maintained for each homeless child or youth, include: immunization or other required health records; birth certificates; academic records; guardianship records; and evaluations for special services (20 U.S.C. 123g) [S.722(g)(3)(D)]. 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 GEPA and 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.

Revised 2/27/18

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Legal	F.S. 1003.01
	F.S. 743.067
	F.S. 1003.21
	F.S. 1003.22
	F.S. 1009.21
	F.S. 1009.25
	42 U.S.C. 11431 et seq.

**Last Modified by Angela Kennedy on December 7, 2022**



Book	Policy Manual
Section	Revised Special Update November 2022
Title	STUDENT SUICIDE PREVENTION, AWARENESS, AND SCREENING
Code	po5350 JK12.09.22
Status	
Adopted	June 13, 2017
Last Revised	February 11, 2020

#### 5350 - **STUDENT SUICIDE PREVENTION, AWARENESS, AND SCREENING**

The School Board recognizes that suicide is one of the leading causes of death for Florida's youth. To address the prevalence of student suicide, the Board believes there must be a partnership between families, the community, and schools. It is critical for families and community members to communicate with and provide information to school staff to identify students at risk of suicide.

The Board will provide access to suicide prevention educational resources to all instructional and administrative staff as part of the District's professional development program. The suicide educational resources will include material approved by the Statewide Office for Suicide Prevention, the Florida Suicide Prevention Coalition, and the Coordinated School Health Resource Center. The District's student personnel services staff will be responsible for providing suicide prevention awareness, and screening training and resources to students and staff.

#### **Signs of Suicidal Ideations**

All school personnel should be alert to signs of suicide ideation and to students who threaten or attempt suicide. Suicide ideation is the process of fantasizing, planning, practicing, and motivating oneself to commit suicide. Any such signs or the report of such signs from another student or staff member should be taken with the utmost seriousness. Families, community members, and students are encouraged to report any such signs to the Principal.

#### **Suicide Risk Assessments**

**All schools and local mobile response teams shall use the same suicide risk assessment instruments ~~suicide screening instrument~~ approved by the FLDOE pursuant to F.S. 1012.583.** Only school-based mental health service providers who have been trained in the use of the instruments utilized by the District may give a risk assessment to a student expressing suicidal ideation or suicidal intent.

A "school-based mental health services provider" means a school psychologist certified under F.A.C. 6A-4.0311, a school social worker certified under F.A.C. 6A-4.035, a school counselor certified under F.A.C. 6A-4.0181, or a mental health professional licensed under F.S. Chapters 490 or 491, who is employed or contracted by the District to provide mental health services in its schools.

If a trained school-based mental health services provider is unavailable, a contracted certified or licensed mental health provider may evaluate students in the District for suicide risk, including the mobile response teams serving the District.

When a suicide risk assessment results in the initiation of an involuntary examination, the Principal is required to make a reasonable attempt to notify the student's parent(s) before the student is removed from school, school transportation, or a school-sponsored activity, unless notification is delayed pursuant to F.S. 1002.20.

When a suicide risk assessment results in a change in related services or monitoring, a student's parent(s) must be notified as soon as possible, unless notification is withheld or delayed pursuant to AP 1213, AP 3213, or AP 4213 - *Student Supervision and Welfare*.

## Youth Suicide Awareness and Prevention Training

~~Professional development~~~~In-service~~~~Professional development training in youth suicide awareness prevention shall be provided for student personnel services staff, administration, and instructional staff. Further, additional professional development training regarding risk assessment and intervention shall be provided to mental health employees, counselors, psychologists, and school nurses.~~

The training for the student personnel services staff, administration, and instructional staff shall develop an understanding of how to use an intervention procedure which includes the following:

- Step 1 - Stabilization
- Step 2 - Assessment of the Risk
- Step 3 - Use of Appropriate Risk Procedure
- Step 4 - Communication with Appropriate Parties
- Step 5 - Follow-up

Throughout any intervention, it is essential that Board policies and District procedures regarding confidentiality be observed at all times.

## ~~Youth Suicide Awareness Prevention, and Screening~~

### Training

~~A two (2) hour continuing education training program of youth suicide awareness, and prevention, and screening, utilizing training materials from the list approved by the Florida Department of Education (FLDOE) shall be developed. The training will include an interactive component conducted by a school-based mental health services provider that addresses the following District or school-specific information:~~

- ~~1. identification of school-based mental health services providers available to the school and community-based mental health providers;~~
- ~~2. Board policies and District procedures for responding to a student with suicidal ideation or suicidal intent;~~
- ~~3. District guidelines for informing parents of suicide risk; and,~~
- ~~4. information on how to refer youth and families for mental health services in the community.~~

~~Instruction about how to identify appropriate mental health services and how to refer youth and their families to those services shall be included in the program.~~

~~If provided at a school, the training shall be included in the existing continuing education or in-service training requirements for instructional personnel.~~

## Suicide Prevention Certified Schools

Any District school that meets the following requirements shall be considered a "Suicide Prevention Certified School" under Florida law:

~~If all instructional personnel at a District school participates in the two (2) hours of youth suicide awareness and prevention training that school will be considered "Suicide Prevention Certified School".~~

- A. All instructional personnel at the school have participated in the two (2) hours of youth suicide awareness, and prevention, and screening training, and repeat training every three (3) years; and**
- B. The requirement for all instructional personnel to complete youth suicide awareness and prevention training is included in the District's continuing education or master in-service plan; and,**
- C. The school has at least two (2) school-based mental health services providers that are qualified to conduct suicide risk assessments**~~staff members certified or otherwise deemed competent in the use of a suicide screening instrument using an instrument~~ **approved by the FLDOE.**
- D. and has a policy to use such suicide risk screening instrument to evaluate a student's risk before requesting the initiation of, or initiating, an involuntary examination due to concerns about the student's suicide risk.**

The Superintendent will notify the FLDOE of all schools qualifying for this designation. Each school shall also post on its own website whether it is a Suicide Prevention Certified School, and the District shall post on its website a list of the Suicide Prevention Certified Schools in the District.

Pursuant to State law, participating in the training does not create any new duty of care or the basis of liability.

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Legal	F.S. 14.2019
	F.S. 14.20195
	F.S. 1001.32(2)
	F.S. 1012.583

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Book	Policy Manual
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Title	PROCUREMENT – FEDERAL GRANTS/FUNDS
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#### 6325 - **PROCUREMENT – FEDERAL GRANTS/FUNDS**

Procurement of all supplies, materials, equipment, and services paid from Federal funds or District matching funds shall be made in accordance with all applicable Federal, State, and local statutes and/or regulations, the terms and conditions of the Federal grant, School Board policies, and administrative procedures.

The Superintendent shall have and hold a procurement and contract administration system in accordance with ~~Federal~~~~the~~ ~~USDOE~~ requirements (2 C.F.R. 200.317-.326; **7 C.F.R. 210.21** ) for the administration and management of Federal grants and Federally-funded programs. The District shall maintain oversight that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall conform to the provisions of the District's documented general purchasing Policy 6320, AP 6320A, and AP 6325.

All Federally-funded contracts in excess of \$2,000 related to construction, alteration, repairs, painting, decorating, etc. of public buildings or public works must comply with Davis-Bacon and Related Acts prevailing wage requirements.

The District shall take affirmative steps to assure that small and minority businesses, women's business enterprises, and labor surplus area firms are used when possible in accordance with 2 C.F.R. 200.321.

All District employees, officers, and agents who have purchasing authority shall abide by the standards of conduct covering conflicts of interest and governing the actions of its employees, officers, and agents engaged in the selection, award, and administration of contracts as established in Policy 1129, Policy 3129, and Policy 4129 – *Conflict of Interest*.

The District will avoid acquisition of unnecessary or duplicative items. Additionally, consideration shall be given to consolidating or breaking out procurements to obtain a more economical purchase. And, where appropriate, an analysis shall be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach. These considerations are given as part of the process to determine the allowability of each purchase made with Federal funds.

To foster greater economy and efficiency, the District may enter into State and local intergovernmental agreements where appropriate for procurement or use of common or shared goods and services.

#### **Competition**

All procurement transactions for the acquisition of property or services required under a Federal award paid for from Federal funds or District matching funds shall be conducted in a manner that encourages full and open competition and that is in accordance with good administrative practice and sound business judgment. In order to promote objective contractor performance and eliminate unfair competitive advantage, the District shall exclude any contractor that has developed or drafted specifications, requirements, statements of work, or invitations for bids or requests for proposals from competition for such procurements.

Some of the situations considered to be restrictive of competition include, but are not limited to, the following:

- A. unreasonable requirements on firms in order for them to qualify to do business
- B. unnecessary experience and excessive bonding requirements
- C. noncompetitive pricing practices between firms or between affiliated companies
- D. organizational conflicts of interest
- E. specification of only a "brand name" product instead of allowing for an "or equal" product to be offered and describing the performance or other relevant requirements of the procurement
- F. any arbitrary action in the procurement process

Further, the District does not use statutorily or administratively imposed State, local, or tribal geographical preferences in the evaluation of bids or proposals, unless (1) an applicable Federal statute expressly mandates or encourages a geographic preference; or (2) the District is contracting for architectural and engineering services, in which case geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

To the extent that the District uses a pre-qualified list of persons, firms, or products to acquire goods and services that are subject to this policy, the pre-qualified list includes enough qualified sources as to ensure maximum open and free competition. The District allows vendors to apply for consideration to be placed on the list annually.

The District shall require that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to provide maximum open and free competition. The District shall not preclude potential bidders from qualifying during the solicitation period.

#### **Solicitation Language (Purchasing Procedures)**

The District shall have written procurement procedures that require that all solicitations made pursuant to this policy incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product, or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it shall conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which shall be met by offers shall be clearly stated; and identify all requirements which the offerors shall fulfill and all other factors to be used in evaluating bids or proposals.

The Board will not approve any expenditure for an unauthorized purchase or contract.

#### **Procurement Methods**

The District shall have and use documented procedures, consistent with the standards described for the following methods of procurement:

##### **A. Informal Procurement Methods**

###### **1. Micro-purchases**

Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed \$4,999.99. To the maximum extent practicable, the District should distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be made without soliciting competitive quotations if Superintendent considers the price to be reasonable based on research, experience, purchase history or other relevant information and documents filed accordingly. The District shall maintain evidence of this reasonableness in the records of all purchases made by this method.

###### **2. Small Purchases**

Small purchases include the acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold but does not exceed the simplified acquisition threshold of \$10,000.00. Small purchase procedures provide for relatively simple and informal procurement methods for securing services, supplies, and other property that does not exceed the competitive bid threshold of \$50,000.00. Small purchase procedures require that

price or rate quotations shall be obtained from an adequate number of qualified sources.

## B. Formal Procurement Methods

When the value of the procurement for property or services under a Federal award exceeds the simplified acquisition threshold, or a lower threshold established by the State, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement method can be used in accordance with the standards on competition in 200.319 or non-competitive procurement. The formal methods of procurement are:

### 1. Sealed Bids

Sealed, competitive bids shall be obtained when the purchase of, and contract for, single items of supplies, materials, or equipment which amounts to \$50,000.00 or greater and when the Board determines to build, repair, enlarge, improve, or demolish a school building/facility the cost of which will exceed \$50,000.00.

In order for sealed bidding to be feasible, the following conditions shall be present:

- a. a complete, adequate, and realistic specification or purchase description is available;
- b. three (3) or more responsible bidders are willing and able to compete effectively for the business; and
- c. the procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

When sealed bids are used, the following requirements apply:

- a. Bids shall be solicited in accordance with the provisions of State law and Policy 6320. Bids shall be solicited from an adequate number of qualified suppliers, providing sufficient response time prior to the date set for the opening of bids. The invitation to bid shall be publicly posted.
- b. The invitation for bids will include product/contract specifications and pertinent attachments and shall define the items and/or services required in order for the bidder to properly respond.
- c. All bids will be opened at the time and place prescribed in the invitation for bids; bids will be opened publicly.
- d. A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may only be used to determine the low bid when prior experience indicates that such discounts are usually taken.
- e. The Board reserves the right to reject any or all bids for sound documented reason.

### 2. Proposals

Procurement by proposals is a method in which either a fixed price or cost-reimbursement type contract is awarded. Proposals are generally used when conditions are not appropriate for the use of sealed bids or in the case of a recognized exception to the sealed bid method.

If this method is used, the following requirements apply:

- a. Requests for proposals shall be publicly posted and identify all evaluation factors and their relative importance. Any response to the publicized requests for proposals shall be considered to the maximum extent practical.
- b. Proposals shall be solicited from an adequate number of sources.
- c. The District shall use its written method for conducting technical evaluations of the proposals received and for selecting recipients.
- d. Contracts shall be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.
- e. **All Requests for Proposals (RFPs) and Invitations to Bid (ITBs) shall be opened publicly in accordance with F.S. 287.057.**

The District may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services through A/E firms are a potential source to perform the proposed effort.

### 3. Noncompetitive Procurement

Procurement by noncompetitive proposals allows for solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

- a. micro-purchases
- b. the item is available only from a single source
- c. the public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation
- d. the Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the District
- e. after solicitation of a number of sources, competition is determined to be inadequate

### **Domestic Preference for Procurement**

As appropriate and to the extent consistent with law, the District shall, to the extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States. **(See 7 C.F.R 210.21(d)). If a non-domestic agricultural product is to be provided, the vendor must obtain written approval of the product to be used in advance**. Such requirements shall be included in all subawards including all contracts and purchase orders for work or products under the Federal award.

### **Contract/Price Analysis**

The District shall perform a cost or price analysis in connection with every procurement action in excess of \$250,000.00, including contract modifications. A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price, without looking at the individual cost elements.

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the District shall come to an independent estimate prior to receiving bids or proposals.

When performing a cost analysis, the District shall negotiate profit as a separate element of the price. To establish a fair and reasonable profit, consideration is to be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

### **Time and Materials Contracts**

The District uses a time and materials type contract only (1) after a determination that no other contract is suitable; and (2) if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract whose cost to the District is the sum of the actual costs of materials, and direct labor hours charged at fixed hourly rates that reflect wage, general and administrative expenses, and profit.

Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, the District sets a ceiling price for each contract that the contractor exceeds at its own risk. Further, the District shall assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

### **Suspension and Debarment**

The District will award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement. All purchasing decisions shall be made in the best interests of the District and shall seek to obtain the maximum value for each dollar expended. When making a purchasing decision, the District shall consider such factors as (1) contractor integrity; (2) compliance with public policy; (3) record of past performance; and (4) financial and technical resources.

The Superintendent shall have the authority to suspend or debar a person/corporation, for cause, from consideration or award of further contracts. The District is subject to and shall abide by the nonprocurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, 2 C.F.R. Part 180.

Suspension is an action taken by the District that immediately prohibits a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 C.F.R. chapter 1) for a temporary period, pending completion of an agency investigation and any judicial or administrative proceedings that may ensue. A person so excluded is suspended. (2 C.F.R. Part 180 Subpart G)

Debarment is an action taken by the Superintendent to exclude a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 C.F.R. chapter 1). A person so excluded is debarred. (2 C.F.R. Part 180 Subpart H)

The District shall not subcontract with or award subgrants to any person or company who is debarred or suspended. For contracts over \$25,000, the District shall confirm that the vendor is not debarred or suspended by either checking the Federal government's System for Award Management, which maintains a list of such debarred or suspended vendors at [www.sam.gov](http://www.sam.gov); collecting a certification from the vendor; or adding a clause or condition to the covered transaction with that vendor. (2 C.F.R. Part 180 Subpart C)

### **Maintenance of Procurement Records**

The District shall maintain records sufficient to detail the history of all procurements. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection, or rejection, and the basis for the contract price (including a cost or price analysis).

F.S. 287.057  
2 C.F.R. 3485.220  
7 C.F.R. 210.21

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Legal                      2 C.F.R. 200.317-.326  
                                 Appendix II to Part 200  
                                 2 C.F.R. 200.520

**Last Modified by Maria Cain on January 9, 2023**



Book	Policy Manual
Section	Revised Special Update November 2022
Title	STUDENT RECORDS
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Last Revised	March 8, 2022

### 8330 - **STUDENT RECORDS**

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

#### **Definitions**

- A. "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).
- B. "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.
- C. "Parent" or "parents" includes parents or guardians of students who are or have been in attendance at a school or institution.
- D. "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.
- E. "Student" means any individual who is or has been in attendance in a District school and regarding whom the District maintains education records.
- F. "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.
- G. "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.
- H. "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.

#### **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 ~~Administrative Rule~~ F.A.C. 6A-1.0955 and this policy. Each student's cumulative record shall include the following types of data:

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 ~~Permanent Information~~

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 achievement, 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 ~~Temporary Information~~

1. Health information, family background data, standardized test scores, State-mandated achievement test scores, educational and ~~career vocational~~ plans, honors and activities, work experience reports, and teacher/~~counselor~~ 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 are 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. ~~Driver education certificate.~~
8. A list of schools attended.
9. Written agreements of corrections, deletions, or expunctions as a result of meetings or hearings to amend educational records.
10. Academic and behavioral intervention services.
11. Psychological evaluations.
12. Therapeutic treatment plans and therapy progress notes.
13. ~~Written requests to waive access to confidential records.~~
14. ~~Written requests to restrict the release of directory information.~~
15. ~~Court orders of relevance.~~
16. ~~Records of major student disciplinary actions, suspension, and/or expulsion records.~~
17. ~~Home language survey.~~
18. ~~Student Limited English Proficiency (LEP) Plans.~~
19. Such other records of educational importance as the school shall deem necessary.
20. 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 the 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.

Type Record	Location	Custodian	Address
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	cumula	tive records	

u  
p  
e  
r  
i  
n  
t  
e  
n  
d  
e  
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s  
M  
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a  
g  
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m  
e  
n  
t

(Category A) as specified in the current Student Records Manual for the District	office	Educational Services Facility
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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
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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
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#### 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.

#### 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. ~~The term "parents" includes legal guardians or other persons standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child). The term "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.~~

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 students are dependents of ~~their his/her~~ 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 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 insure 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 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 ~~Principals principal or his/her designee~~ are unable to notify prior to time for compliance set forth in the court order, ~~they s/he~~ 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 students, or ~~their his/her~~ parents if the students are either a minor and not attending an institution of postsecondary education or a dependent of such parents 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 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 ~~Student Record~~ 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 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 record 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 specific 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**

~~When a student, previously enrolled in the District transfers out of the District to another school, public or private, within this State or out of State, the principal, upon written request of the principal of the receiving school, the parent, guardian, or eligible student, shall, within three (3) school days, transfer a copy of the student's cumulative record containing Category A and B information to the requesting school. Pursuant to Federal law, disciplinary records with respect to suspension and expulsion shall be considered "other records of educational importance" and, as a Category B record, shall be transferred to the requesting school. The Board authorizes~~

~~the administration to forward all Category A and B student records, including disciplinary records with respect to any current~~

~~suspension and expulsion, upon request to a school or school district in which a student of this District is enrolled, seeks or intends to enroll, or is instructed to enroll, on a full-time or part-time basis, upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record. The school shall retain a copy of the Category A information in its files. A copy of the Category B (Exceptional Student Education Audit File) records will also be retained. Category B health and testing information shall be retained if it is related to a weighted or categorical program placement which is subject to audit. The files which are retained will be held by the principal who is custodian of the records for the period of time specified in the Student Records Manual. Category A student records and Category B (Exceptional Student Education Audit File) beyond the specified time after the student leaves the District will be forwarded to Records Management. When a request comes to the school for student records after the files have been sent to Records Management, the written request should be forwarded to Records Management. Based upon reasonable requests, viewers of educational records will receive explanation and interpretation of the records. Records Management will make copies of the student's files at the current the District's copy rate, which shall not exceed the maximum rate for copies of public records as set forth in F.S. Chapter 119.~~

- A. The transfer of records must be made immediately upon written request of an eligible student, a parent, or a receiving school. The Principal must transfer a copy of all Category A and Category B information and must retain a copy of Category A information; however, student records which are required for audit purposes for programs listed in F.S. 1010.305, must be maintained in the District for the time period indicated in F.A.C. 6A-1.0453.

The transfer of education records must not be delayed for nonpayment of a fee or fine assessed by the school.

- B. The transfer of records of students who transfer from school to school must occur within three (3) school days of receipt of the request for records from the new school or district, or receipt of the identity of the new school and district of enrollment, whichever occurs first. Student records must contain verified reports of serious or recurrent behavior patterns, including substantive and transient threat assessments and intervention services, and psychological evaluations, including therapeutic treatment plans and therapy progress notes created or maintained by District staff.

Non-threats as described in F.A.C. 6A-1.0955 must not be transferred with a student's educational record unless one of the conditions set forth in F.A.C. 6A-1.0955(6)(b)1. and 2. are met.

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) 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 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 records;

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 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 or designee, 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 or designee 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 notice 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:
  - a. Email through the SIS System
  - b. Posted on the District Website
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. 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 students enrolls in a District school, the District shall request that the students provide ~~their his/her~~ social security number and shall indicate whether the student identification number assigned to the students are ~~their his/her~~ social security number. Students satisfy this requirement by presenting ~~their his/her~~ social security card or a copy of the card to a school enrollment official. However, students are not required to provide ~~their his/her~~ social security number as a condition for enrollment or graduation.

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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. Section 1232f (FERPA)
	20 U.S.C. Section 1232g (FERPA)
	20 U.S.C. Section 1232h (FERPA)
	20 U.S.C. Section 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

**Last Modified by Maria Cain on January 25, 2023**

Book	Policy Manual
Section	Revised Special Update November 2022
Title	SCHOOL SAFETY AND SECURITY
Code	po8405 jdr 11/29/22
Status	
Adopted	June 13, 2017
Last Revised	November 16, 2021

#### 8405 - **SCHOOL SAFETY AND SECURITY**

The School Board is committed to maintaining a safe, secure, and drug-free environment in all the District's schools.

School crime and violence are multifaceted problems that need to be addressed in a manner that utilizes all available resources in the community through a coordinated effort of District personnel, law enforcement agencies, first responders, and families. The Board further believes that school administrators and local law enforcement officials must work together to provide for the safety and welfare of students while they are at school or a school-related event or are on their way to and from school.

The Superintendent, in conjunction with the District Safety Specialist, shall develop a *School Safety and Security Plan* with input from representatives of the local law enforcement agency; the local fire official(s) or **their**his/her designee(s); representative(s) from emergency medical services; members of the Board; building administrators; representative(s) from the local emergency management agency; School Resource Officer(s); school guardians; security guards; local mental health provider(s); teachers and/or staff; and/or designated Support Operations staff.

Included within the District's School Safety and Security Plan shall be a District Active Assailant Response Plan (DAARP). The DAARP shall include, at a minimum, procedures addressing the following:

- A. security assessments;
- B. roles and responsibilities of District personnel;
- C. roles and responsibilities of Safe-School Officers (Policy 8407 - *Safe-School Officers*);
- D. information sharing;
- E. training of District personnel and exercises/drills, including training standards;
- F. identification of Safe Spaces and Command Posts;
- G. response to the threat of an active assailant, including the following three (3) strategies: evading or evacuating, taking cover or hiding, and responding to or fighting back;
- H. response to the presence of an active assailant on school grounds;
- I. communication with law enforcement prior to and after law Enforcement arrives on school grounds;
- J. responsibilities prior to law enforcement arrival;
- K. responsibilities when law enforcement arrives on school grounds;



L. communication with the public; and

M. post-incident recovery.

The District will adopt its DAARP by October 1.

Further, by October 1st of each year, the Superintendent shall certify to the Office of Safe Schools and document in the Florida Safe Schools Assessment Tool that all school personnel has received annual training on the procedures contained in the District's DAARP.

### **School Safety Specialist**

The Superintendent is responsible for designating the District's School Safety Specialist. The School Safety Specialist must be a school administrator employed by the District or a law enforcement officer employed by the Hernando County Sheriff's Office. Prior to appointing a law enforcement officer to serve as the School Safety Specialist, the Superintendent must verify that the law enforcement officer has met all statutory requirements and has been authorized and approved by the Hernando County Sheriff's Office to serve as the School Safety Specialist.

By August 1 of each year, the District will submit the School Safety Specialist's name, phone number, and email address to the Office of Safe Schools at SafeSchools@fldoe.org. The District will notify the Office of Safe Schools within one (1) school day whenever there is a change related to the contact information for the School Safety Specialist.

#### **A. Training**

Within thirty (30) calendar days of appointment, the District's School Safety Specialist must complete and thereafter maintain certificates of completion of the following online Federal Emergency Management Agency Independent Study courses: Multi-Hazard Planning for Childcare; Introduction to the Incident Command System, ICS 100; Preparing for Mass Casualty Incidents: A Guide for Schools, Higher Education, and Houses of Worship; Multi-Hazard Emergency Planning for Schools; and Planning for the Needs of Children in Disasters.

Within one (1) year of appointment, and annually thereafter, the District School Safety Specialist must earn a certificate of completion of school safety specialist training provided by the Office of Safe Schools.

The District's School Safety Specialist shall earn, or designate one (1) or more individuals to earn, certification as a youth mental health awareness and assistance trainer as set forth in F.S. 1012.584.

#### **B. Responsibilities**

The School Safety Specialist is responsible for the supervision and oversight for all school safety and security personnel, policies, and procedures in the District, including at charter schools.. The School Safety Specialist's responsibilities include, but are not limited to, the following:

1. reviewing at least annually District and charter schools' policies and procedures for compliance with Florida law and applicable rules, as provided by F.S. 1006.07 (6)(a)1., including the District's timely and accurate submission of school environmental safety incident reports to the Department pursuant to F.S. 1001.212;
2. ~~The School Safety Specialist is responsible for submitting all Board and District charter school policies and procedures pertaining to the health, safety, or welfare of students to the Office of Safe Schools by July 1 of each year.~~
3. ~~The School Safety Specialist is responsible for submitting all Board and District charter school policies and procedures pertaining to the health, safety, or welfare of students to the Office of Safe Schools by July 1 of each year.~~
4. providing necessary training and resources to students and staff in matters relating to youth mental health awareness and assistance; emergency procedures, including active shooter training; and school safety and security;
5. serving as the District liaison with local public safety agencies and national, State, and community agencies and organizations in matters of school safety and security;
6. conduct annually on or before October 1, in collaboration with the appropriate public safety agencies, a school security risk assessment at each District school using the Florida Safe Schools Assessment Tool developed by the Office of Safe Schools;

The District will report to FLDOE by October 15th of each year that all public schools within the District have completed the assessment using the Florida Safe Schools Assessment Tool. For purposes of this section, "public safety agencies" means a functional division of a public agency which provides firefighting, law enforcement, medical, or

other emergency services.

7. coordinating with appropriate public safety agencies, as defined in F.S. 365.161, that are designated as first responders to a school's campus to conduct a tour of such campus once every three (3) years and to provide recommendations related to school safety. Completion of such tours and any recommendations must be documented in each school's security risk assessment within the Florida Safe Schools Assessment Tool;

Any changes related to school safety, emergency issues, and recommendations provided by the public safety agencies will be considered as part of the recommendations by the School Safety Specialist to the Board.

8. providing, or arranging for the provision of, youth mental health awareness and assistance training to all school personnel **within the District as set forth in F.S. 1012.584, F.A.C. 6A-1.094120 and F.A.C. 6A-1.0018;**

**By July 1st of each year, the Superintendent shall certify to the FLDOE, in a format determined by the FLDOE, that at least eighty percent (80%) of school personnel in elementary, middle, and high schools have received the training required under this paragraph.**

**~~as set forth in F.S. 1012.584;~~**

The training program shall include, but is not limited to, the following:

- a. an overview of mental illnesses and substance abuse disorders and the need to reduce the stigma of mental illness;
  - b. information on the potential risk factors and warning signs of emotional disturbance, mental illness, or substance use disorders, including, but not limited to, depression, anxiety, psychosis, eating disorders, and self-injury, as well as common treatments for those conditions and how to assess those risks; and
  - c. information on how to engage at-risk students with skills, resources, and knowledge required to assess the situation, and how to identify and encourage the student to use appropriate professional help and other support strategies, including, but not limited to, peer, social, or self-help care.
9. coordinating with charter schools to address charter school safety requirements as set forth under Florida law and F.A.C. 6A-1.0018;

The School Safety Specialist must coordinate with charter school personnel to allow input access to the Florida Safe Schools Assessment Tool. Where input access is restricted to District personnel, the School Safety Specialist is responsible for gathering information from charter schools so that Florida Safe Schools Assessment Tool reporting requirements, including those for FortifyFL, threat assessment teams and active assailant response plans, include data from charter schools.

10. completing surveys provided by the Office of Safe Schools regarding Safe-School officer assignment;
11. investigating and responding to notices from the Office of Safe Schools containing suspected deficiencies at a District school and at or by a charter school.

**C. Identification of and Corrections to Instances of Noncompliance with Florida Laws and Rules Relating to Safety**

The School Safety Specialist is responsible for identifying and correcting instances of noncompliance with F.A.C. 6A-1.0018 or any other Florida laws or rules relating to safety at any District school. Such actions may include, but are not limited to, the following:

1. resolving deficiencies relating to Safe-School officer coverage by no later than the next school day;
2. notifying the Office of Safe Schools within twenty-four (24) hours at SafeSchools@fldoe.org of any deficiencies relating to Safe-School officer coverage and any instance of noncompliance that is determined to be an imminent threat to the health, safety, or welfare of students or staff. The notification must contain particularized facts beyond noncompliance with rules or Florida Statutes that explain the imminent threat;
3. notifying the Office of Safe Schools within three (3) days at SafeSchools@fldoe.org of any instance of noncompliance not corrected within sixty (60) days;

**D. Response to Notice of Suspected Deficiency from the Office of Safe Schools**

The School Safety Specialist is responsible for notifying the Superintendent immediately and no later than the same day of receipt of any notice of suspected deficiency the School Safety Specialist receives from the Office of Safe Schools.

When the notice of suspected deficiency concerns a failure to have a Safe-School officer established or assigned at each school facility, as required by F.S. 1006.12, the School Safety Specialist must respond in writing and verify to the Office of Safe Schools that the school(s) identified in the notice have a Safe-School officer on site by the next school day. In all other cases, the School Safety Specialist must respond in writing to the Office of Safe Schools within five (5) school days and verify that the District or school has corrected the suspected deficiency, or within that same time period, submit a written plan describing how the District will bring the identified school(s) into compliance. The plan must include an estimated date of completion and an explanation of alternate security measures designed to maintain a safe learning environment.

### **Recommendations of the School Safety Specialist**

Based on the findings of the school security risk assessment, the School Safety Specialist must provide recommendations to the Superintendent and Board which identify strategies and activities that the Board should implement in order to address the findings and improve school safety and security. The School Safety Specialist's report to the Board shall also include school safety recommendations made by public safety agencies. The Board will review the school security risk assessment findings and the recommendations of the School Safety Specialist at a publicly noticed Board meeting to provide the public an opportunity to hear the Board members discuss and take action. The School Safety and Security Plan is, however, confidential and is not subject to review or release as a public record.

The School Safety Specialist shall report the school security risk assessment findings and recommendations and the Board's action(s) to the Office of Safe Schools no later than thirty (30) days after the Board meeting and prior to November 1 of each year. The School Safety Specialist shall also submit a best-practices assessment in the Florida Safe Schools Assessment Tool.

As a part of the Florida Safe School Assessment, the Board shall verify that it has procedures in place for keeping schools safe and drug-free that include:

- A. safety and security best practices;
- B. appropriate and effective school discipline policies that prohibit disorderly conduct, the illegal possession of weapons and the illegal use, possession, distribution, and sale of tobacco, alcohol, and other drugs by students;
- C. security procedures at school and while students are on the way to and from school;
- D. prevention activities that are designed to maintain safe, disciplined, and drug-free environments;
- E. a code of conduct or policy for all students that clearly states the responsibilities of students, teachers, and administrators in maintaining a classroom environment that:
  - 1. allows a teacher to communicate effectively to all students in the class;
  - 2. allows all students in the class the opportunity to learn;
  - 3. has consequences that are fair, and developmentally appropriate;
  - 4. considers the student and the circumstances of the situation; and
  - 5. is enforced accordingly.

### **Safety and Security Best Practices**

The Superintendent shall develop administrative procedures for the prevention of violence on school grounds, including the assessment and intervention with individuals whose behavior poses a threat to the safety of the school community.

### **Persistently Dangerous Schools**

The Board has set forth the rules with regard to expected behavior in Policy 5500 - Student Conduct and has established the consequences for violating the policy on student conduct in Policy 5600 - Student Discipline. The Board recognizes that not only Federal, but also State law requires that the District report annually incidents which meet the statutory definition of violent criminal offenses that occur in a school, on school grounds, on a school conveyance, or at a school-sponsored activity, as well as those incidents that would be a Gun-Free Schools Act violation. It is further understood that the Florida Department of Education will then use the data for the offenses identified in the Department's Unsafe School Choice Option Policy to determine whether or not a school is considered "persistently dangerous".

Pursuant to the Board's stated intent to provide a safe school environment, school administrators are expected to respond appropriately to any and all violations of the Student Code of Conduct, especially those of a serious, violent nature. In any year where the number of reportable incidents of violent criminal offenses in any school exceeds the threshold number established in

State law, the Superintendent shall convene a meeting of the building administrator, representative(s) of the local law enforcement agency, and any other individuals deemed appropriate for the purpose of developing a plan of corrective action that can be developed and implemented in an effort to reduce the number of these incidents in the subsequent year.

The Superintendent shall make a report to the Board about this plan of corrective action and shall recommend approval and adoption of it.

In the unexpected event that the number of reportable incidents in three (3) consecutive school years exceeds the statutory threshold and the school is identified as persistently dangerous, the Superintendent shall offer parents and eligible students the opportunity to transfer to another school within the District that serves the same grades. If there is another school within the District serving the same grades, the transfer shall be completed in a timely manner. If there is not another school within the District that serves the same grades, then parents and eligible students will be advised that, although Federal and State law provides for an opportunity to transfer, they will be unable to do so.

In addition, the Superintendent shall discuss this at the annual meeting for the purpose of reviewing the School Safety and Security Plan so that a plan of corrective action can be developed and implemented in an effort to reduce the number of these incidents in the subsequent year.

### **Victims of Violent Crime**

The Board further recognizes that, despite the diligent efforts of school administrators and staff to provide a safe school environment, an individual student may be a victim of a violent crime in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. In accordance with Federal and State laws the parents or the eligible student shall be offered the opportunity to transfer to another school within the District that serves the same grades. If there is another school serving the same grades, the transfer shall be completed in a timely manner. If there is not another school serving the same grades, the parents or eligible student will be advised that, although they have the right to transfer, they will be unable to do so.

### **Threat Assessment Teams**

The purpose of the threat assessment team is to establish a process focusing on behaviors that pose a threat to school safety while serving as a preventative measure to identify needs and provide support to students. Threat assessment teams are responsible for the coordination of resources and assessment and intervention with individuals whose behavior may pose a threat to the safety of school staff or students consistent with the model policies and procedures developed by the Office of Safe Schools which addresses early identification, evaluation, early intervention, and student support.

Each school-based threat assessment team must meet as often as needed to fulfill its duties of assessing and intervening with persons whose behavior may pose a threat to school staff or students, but no less than monthly. Threat assessment teams shall maintain documentation of their meetings, including meeting dates and times, team members in attendance, cases discussed, and actions taken.

#### **A. Location and Membership**

1. Threat assessment teams are located at each school in the District and composed of individuals with expertise in counseling, instruction, school administration, and law enforcement.
  - a. The counseling team member must be a school-based mental health services provider who is able to access student mental health records.
  - b. The law enforcement team member must be a sworn law enforcement officer, as defined by F.S. 943.10, including a School Resource Officer, school-safety officer, or other active law enforcement officer. At a minimum, a law enforcement officer serving on a threat assessment team must have access to local Records Management System information, the Criminal Justice Information System, and the Florida Crime Information Center and National Crime Information Center databases. Officers serving on school-based threat assessment teams must also have clearance to review Criminal Justice Information and Criminal History Record Information. \*While school guardians and school security guards may be members of a school's or District threat assessment not serve as the law enforcement member of a threat assessment team.
2. The Board authorizes the Superintendent to create procedures for the purpose of:
  - a. identifying team participants by position and role;
  - b. designating the individuals (by position) who are responsible for gathering and investigating information; and
  - c. identifying the steps and procedures to be followed from initiation to conclusion of the threat assessment inquiry or investigation.

## B. Responsibilities and Activities of Threat Assessment Teams

The responsibilities and activities of threat assessment teams include, but are not limited to, the following:

1. identification of individuals in the school community to whom threatening behavior should be reported and provide guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school, or self;
2. utilizing the Department's behavior threat assessment instrument developed pursuant to F.S. 1001.212;
3. consult with law enforcement when a student exhibits a pattern of behavior, based upon previous acts or the severity of an act, that would pose a threat to school safety;
4. consult with law enforcement when a student commits more than one (1) misdemeanor to determine if the act should be reported to law enforcement;
5. if a preliminary determination is made by the threat assessment team that a student poses a threat of violence or physical harm to himself/herself or others, the threat assessment team will report its determination to the Superintendent;

The Superintendent shall immediately attempt to notify the student's parent or legal guardian. However, nothing in this paragraph shall preclude District personnel from acting immediately to address an imminent threat.

6. if a preliminary determination is made by the threat assessment team that a student poses a threat of violence to ~~himself/herself~~ themselves or others or exhibits significantly disruptive behavior or need for assistance, authorized members of the threat assessment team may obtain criminal history record information pursuant to F.S. 985.041(1);

Members of the threat assessment team may not disclose any criminal history record information obtained pursuant to this paragraph or otherwise use any record of an individual beyond the purpose for which such disclosure was made to the threat assessment team.

7. create procedures related to engaging behavioral health crisis resources.

## C. Sharing of Information

The District and other agencies and individuals that provide services to students experiencing, or at risk of, an emotional disturbance or a mental illness and any service or support provider contracting with such agencies may share with each other records or information that are confidential or exempt from disclosure under F.S. Chapter 119 if the records or information are reasonably necessary to ensure access to appropriate services for the student or to ensure the safety of the student or others.

## D. Immediate Mental Health or Substance Abuse Crisis

If an immediate mental health or substance abuse crisis is suspected, school personnel shall follow policies established by the threat assessment team to engage behavioral health crisis resources. Behavioral health crisis resources, including, but not limited to, mobile crisis teams and school resource officers trained in crisis intervention shall provide emergency intervention and assessment, make recommendations, and refer the student for appropriate services. Onsite school personnel shall report all such situations and actions taken to the threat assessment team, which shall contact the other agencies involved with the student and any known service providers to share information and coordinate any necessary follow-up actions. Upon the student's transfer to a different school, the threat assessment team shall verify that any intervention services provided to the student remain in place until the threat assessment team of the receiving school independently determines the need for intervention services.

## E. Behavior Threat Assessment Instrument Training

All threat assessment team members must be trained on the Comprehensive School Threat Assessment Guidelines (CSTAG) model in accordance with Florida law. Any team members appointed to threat assessment teams after the start of the school year must complete CSTAG training within ninety (90) days of appointment.

## F. Office of Safe Schools Reporting

Each threat assessment team shall report quantitative data on its activities to the Office of Safe Schools, including all activities during the previous school year, and shall utilize the threat assessment database developed pursuant to F.S. 1001.212. The School Safety Specialist will report this information to the Office of Safe Schools. Additionally, the School Safety Specialist must report the following information utilizing the Florida Safe Schools Assessment Tool by October 1 of

each year:

1. Beginning in the 2022-2023 school year, the total number of threat assessments conducted, disaggregated by the total number of non-threats, the total number of transient threats, the number of substantive threats, and the sex, race, and grade level of all students assessed by the threat assessment team. ~~For the 2021-2022 school year, the total number of threat assessments conducted, the number of transient threats, and the number of substantive threats; and,~~
2. ~~Beginning in the 2022-2023 school year, the number of threat assessments conducted, the number of transient threats, and the number of substantive threats as well as the gender, race, and grade level of all students assessed by the threat assessment team.~~

Each threat assessment team shall report quantitative data on its activities to the Office of Safe Schools and shall utilize the threat assessment database developed pursuant to F.S. 1001.212.

#### Threat Assessment Records

Threat assessment records shall be maintained in accordance with Policy 8330 - *Student Records* and Florida law.

#### Referral to Mental Health Services

All school personnel who receive training pursuant to F.S. 1012.584 shall be notified of the mental health services that are available in the District.

#### School Environmental Safety Incident Reporting

The superintendent is responsible for ensuring the accurate and timely reporting of incidents related to school safety and discipline in accordance with Florida law and rules promulgated by FLDOE. Parents of District students have a right to access school safety and discipline incidents as reported pursuant to F.S. 1006.07 (9) and will be timely notified of threats, unlawful acts, and significant emergencies pursuant to F.S. 1006.07 (4) and (7).

#### Student Crime Watch Program

The Board shall implement a Student Crime Watch Program to promote responsibility among students and improve school safety. Through a Board resolution, the Board will require each school principal to distribute information (including a reference to Policy 8406) at their respective schools notifying students and the community as to how they can anonymously relay information concerning unsafe and potentially harmful, dangerous, violent, or criminal activities, or the threat of these activities, to appropriate public safety agencies and school officials.

#### Promotion of School Safety Awareness

In furtherance of Policy 8406 (*Reports of Suspicious Activity and Potential Threats to Schools*), the Board shall promote the use of the Florida Department of Education's mobile suspicious reporting tool ("FortifyFL") **and the consequences of knowingly submitting false information** on the District's website, in newsletters, on school campuses, and in school publications. FortifyFL shall also be installed on all mobile devices issued to students and bookmarked on all computer devices issued to students.

#### Records Related to Compliance with F.A.C. 6A-1.0018

The District and all school staff will retain records demonstrating that the requirements of F.A.C. 6A-1.008 are met and provide such records to the Office of Safe Schools upon request.

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Legal

F.S. 1006.07

F.S. 1006.13

F.S. 1006.1493

Florida Safe Schools Assessment Tool

Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates (U.S. Secret Service and U.S. Department of Education)

F.A.C. 6A-1.0018

**Last Modified by Maria Cain on January 9, 2023**