

Book	Policy Manual
Section	Vol. 24, No.2, Nov. 23 Revised
Title	CONFLICT OF INTEREST
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Status	
Adopted	June 13, 2017
Last Revised	February 23, 2021

0141.2 - **CONFLICT OF INTEREST**

In addition to the provisions of Bylaw 0124 pertaining to standards of ethical conduct, a School Board member shall not have any direct financial interest in a contract with the School District nor shall s/he furnish directly any labor, equipment, or supplies to the District.

Further, Board members are governed by the Florida Constitution, the *Code of Ethics for Public Officers and Employees*, Part III of F.S. Chapter 11, other statutes in the school code, and the Florida Commission on Ethics.

The following is a summary of the Constitutional and statutory mandates. They are not definitive rules and the statute must be consulted for applicable definitions and for exemptions.

A. Standards of Conduct

1. Gifts

No Board member shall accept a gratuity, gift, or favor that might influence professional judgment or obtain special advantages. No Board member may either solicit or accept anything of value - including a gift, loan, reward, promise of future employment, favor, or service - that is based on any understanding that the vote, official action, or judgment of the Board member would be influenced by such gift.

2. Other Prohibited Gifts

No Board member may solicit any gift, food, or beverage from a person, vendor, potential vendor, any other entity doing business with the Board, political committee or committee of continuous existence, or from a lobbyist who lobbies the Board (or the partner, firm, employer, or principal of the lobbyist). No Board member or any person on behalf of the Board member may knowingly accept, directly or indirectly, a gift from a person, vendor, potential vendor, any other entity doing business with the Board, political committee or committee of continuous existence, or from a lobbyist who lobbies the Board (and related individuals and entities, including, but not limited to, the partner, firm, employer, or principal of the lobbyist), if the Board member knows or reasonably believes the gift has a value in excess of \$50 - unless the gift is accepted on behalf of and transferred promptly to a governmental entity or a charitable organization, or is given to the Board member by a governmental entity for a public purpose. Gifts from relatives and gifts associated primarily with the recipient's employment or business are not prohibited. Food or beverage consumed at a single sitting or event may be accepted.

"Vendor" is defined as a business entity doing business directly with the Board, such as renting, leasing, or selling realty, goods, or services. (See F.S. 112.3148)

3. Honoraria

No Board member may solicit an honorarium related to the member's public office or duties. No Board member may solicit an honorarium from a person, vendor, potential vendor, or other entity doing business with the Board, from a political committee, or from a lobbyist (and related individuals and entities) who lobbies the reporting individuals agency. The term "honorarium" does not include payment for services related to employment held outside the position of Board member which requires disclosure. Actual and reasonable transportation, lodging, and food and beverage expenses related to the honorarium even for a Board member and spouse may be accepted. (See F.S. 112.3149)

"Vendor" is defined as a business entity doing business directly with the Board, such as renting, leasing, or selling realty, goods, or services. (See F.S. 112.3148)

4. Doing Business with One's Agency

No Board member acting in his/her official capacity may, directly or indirectly, purchase, rent, or lease any realty, goods, or services from a business entity in which the Board member, his/her spouse, or child is an officer, partner, director, or proprietor, or in which the Board member, his/her spouse, or child (or any combination of them) owns a material interest. Nor may a Board member, acting in a private capacity, rent, lease, or sell any realty, goods, or services to the Board or any of its agencies.

5. Unauthorized Compensation

No Board member or his/her spouse or minor child may accept any compensation payment, or thing of value which, with the exercise of reasonable care, is known or should be known to influence the vote or official action of such Board member.

6. Disproportionate Benefit

Board members are prohibited from abusing their position in order to obtain a "disproportionate benefit" for themselves, their spouse, children, employer, or entities with which they have certain business interests. A disproportionate benefit means a benefit, privilege, exemption, or result arising from an act or omission by a public officer that is inconsistent with the proper performance of their public duties.

7. Misuse of Public Position

No Board member shall corruptly use or attempt to use his/her official position or any property or resource within his/her trust or perform his/her official duties, to secure or obtain a special privilege, benefit, or exemption for the Board member or others.

It is not the intent of this policy to prevent the District from contracting with corporations or businesses because a Board member is an employee of the firm. The policy is designed to prevent placing a Board member in a position where his/her interest in the public schools and his/her interest in his/her place of employment may conflict even though such conflict may not exist.

8. Disclosure or Use of Certain Information

Board members shall not disclose or use information not available to members of the general public and gained by reason of his/her official position for his/her personal gain or benefit of any other person or business entity.

9. Employees Holding Office

A Board employee shall not be a member of the Board while simultaneously continuing as an employee.

B. Voting Conflicts

A Board member shall not vote in an official capacity on any matter which would inure to his/her special gain or loss, or to the special gain or loss of a principal by whom s/he is retained, or to the parent organization or subsidiary of a corporate principal by which s/he is retained, or to the special gain or loss of a relative or business associate.

In the event a Board member is employed by a corporation or business or has a secondary interest in a corporation or business which furnishes goods or services to the School District, the Board member shall declare his/her interest and refrain from debating or voting upon the question of contracting with the company.

It is not the intent of this policy to prevent the District from contracting with corporations or businesses because a Board member is an employee of the firm. The policy is designed to prevent placing a Board member in a position where his/her interest in the public schools and his/her interest in his/her place of employment may conflict even though such conflict may not exist.

The Board member shall make every reasonable effort to disclose the nature of the Board member's interest as a public record in a memorandum filed with the Board's secretary. If it is not possible for the Board member to file a memorandum before the vote, the memorandum must be filed within fifteen (15) days with the Board's secretary.

C. Additional Provisions

1. Board members shall accept no gifts from any individual, firm, or business entity which the Board member has reason to believe is doing business with or seeking to do business with the District. Meals and admissions to events that relate directly to the school system may be accepted.
2. Board members shall not participate in trips paid by a vendor or potential vendor for the purpose of inspecting products or programs useful to the District. Such trips, if deemed necessary, shall always be made at District expense and approved by the Board at a public meeting.
3. Board members, their spouses, or campaign committees shall not solicit any vendor or any employee of this District to make contributions to any political campaign or testimonial.
4. Board members shall not solicit nor accept personal discounts on merchandise or services from individuals, firms, or business entities that the Board member has reason to believe are doing business with or seeking to do business with this District unless those discounts are available to the general public.
5. No Board member may recommend the services of any lawyer or law firm, architect or architectural firm, public relations firm, or any other person or firm, professional or otherwise, to assist in any transaction involving the District, unless the recommendation is made at a public meeting of the Board.
6. Board members are prohibited from acting as an agent or attorney for compensation for anyone in connection with any matter in which the District is interested for two (2) years after their Board service terminates.

Revised 2/23/21

F.S. 112.313

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	F.S. 1001.42

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Book	Policy Manual
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2120 - **SCHOOL IMPROVEMENT**

The School Board supports the concept of school improvement as established by the State Board of Education and will seek to create and/or maintain effective schools as defined by Florida statute. The Board shall annually approve and require implementation of a new, amended, or continuation of school improvement plan for each school in the District which has a school grade of "D" or "F".

In addition to adopting a mission statement and educational philosophy for the District, the Board shall create, as needed, policies which support the school improvement process.

The Superintendent shall establish administrative procedures which will provide for:

- A. School improvement plans which are developed and implemented by school-based teams, working collaboratively, so that both building-level and District-level goals for students can be identified and correlated, and then achieved through effective planning, problem-solving, and assessment.
- B. A District-wide, school-improvement plan which provides for decision-making regarding program assessment, curriculum review, determination of performance standards, staff development, and the monitoring and assessment of student outcomes.
- C. Collaboration at both the building and District levels with parents, relevant institutions and groups, especially those in the community, who can support and facilitate school improvement in the District.
- D. A system of school reports and dissemination of information regarding the performance of students and educational programs as required by Florida statute and State Board of Education rule.

In order to enhance school improvement, the Superintendent is authorized to waive any policy that has been enacted in order to comply with the following Federal statutes/regulations and to request waivers from these laws/regulations from the Commissioner of Education:

Titles I, II, III, IV, VI, IX, X, and Part C of Title VII of the ESEA Act of 1965

The Carl Perkins Vocational and Applied Technology Education Act

The General Education Provisions Act

Parts of Education Department General Administrative Regulations

In requesting such waivers, the Superintendent is to abide by the procedures established by the State Department of Education.

Early Warning System

Each school in the District serving students in kindergarten through grade 8 must develop an early warning system in order to identify students who need additional support to improve academic performance and stay engaged in school. The early warning system must include the following early warning indicators:

- A. Attendance below ninety percent (90%) regardless of whether absence is excused or a result of out-of-school suspension.
- B. One (1) or more suspensions whether in school or out of school.
- C. Course failure in English Language Arts or mathematics during any grading period.
- D. A Level 1 score on the Statewide standardized assessments in English Language Arts or mathematics.
- E. For students in kindergarten through grade 3, a substantial reading deficiency under F.S. 1008.25(5)(a) or, for students in kindergarten through grade 4, a substantial mathematics deficiency under F.S. 1008.25 and F.A.C. 6A-6.0533.

A school-based team responsible for implementing the requirements of this paragraph shall monitor the data from the early warning system. The team may include a school psychologist. When a student exhibits two (2) or more early warning indicators, the team, in consultation with the student's parent, shall determine appropriate intervention strategies for the student unless the student is already being served by an intervention program at the direction of a school-based, multidisciplinary team. Data and information relating to a student's early warning indicators must be used to inform any intervention strategies provided to the student.

Revised 2/27/18
Revised 2/23/21
Revised 12/12/23

F.A.C. 6A-6.0533, Determining a Substantial Math Deficiency

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Legal	F.S. 1001.42
	F.S. 1001.452
	F.S. 1003.02
	F.S. 1008.345
	F.S. 1012.98
	F.A.C. 6A-6.0533, Determining a Substantial Math Deficiency

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Book	Policy Manual
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Title	RELIGION IN THE CURRICULUM
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2270 - RELIGION IN THE CURRICULUM

~~Based on the First Amendment protection from the establishment of religion in the schools, no devotional exercises or displays of a religious character will be permitted in the District in the conduct of any program or activity under the jurisdiction of the School Board.~~ Instructional activities shall not be permitted to advance or inhibit any particular religion or religion generally.

An understanding of religions and their effects on civilization is essential to the thorough education of young people and to their appreciation of a pluralistic society. To that end, the curriculum may include as appropriate to the various ages and attainments of the students, instruction about the religions of the world.

The School Board acknowledges the degree to which a religious consciousness has permeated the arts, literature, music, and issues of morality. The instructional and resource materials approved for use in the District schools frequently contain religious references or concern moral issues that have traditionally been the focus of religious concern. That such materials may be religious in nature shall not, by itself, bar their use by the District. The Board directs that instructional staff members employing such materials be neutral in their approach and avoid using them to advance or inhibit religion in any way.

The Board recognizes that religious traditions vary in their perceptions and doctrines regarding the natural world and its processes. The curriculum is chosen for its place in the education of the District's students, not for its conformity to religious principles. Students should receive unbiased instruction in the schools so they may privately accept or reject the knowledge thus gained, in accordance with their own religious tenets.

Accordingly, no student shall be exempted from attendance in a required course of study on the grounds that the instruction therein interferes with the free exercise of his/her religion.

No classroom teacher shall be prohibited from providing reasonable periods of time for programs of meditation upon a moral, philosophical, or patriotic theme. No student shall be required to participate in such programs or meditations if they are contrary to the religious convictions of the student or his/her parents or guardians.

See also Policy 8800 - *Religious and Other Ceremonies and Observances* and Policy 8805 - *Model Policy on Religious Expression in Public Schools*.

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	U.S. Const. Amend. 1

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Book	Policy Manual
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Title	ARTICULATION AND ACCESS TO FLORIDA COLLEGE SYSTEM INSTITUTIONS
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2271 - **ARTICULATION AND ACCESS TO FLORIDA COLLEGE SYSTEM INSTITUTIONS**

Postsecondary Enrollment Programs

The School Board recognizes the value to students and to the District for students to participate in programs offered by accredited colleges and universities. The Superintendent will annually develop/revise articulation agreements jointly with postsecondary institutions to provide a comprehensive articulated acceleration program including, but not limited to, dual enrollment and early admission programs.

Students in grades 6 through 12 who meet eligibility criteria established under Florida law and by the State Board of Education may enroll in approved postsecondary programs while in attendance in the District. Secondary students may also participate in career and career certificate dual enrollment that will enable them to earn industry certification. Students will be eligible to receive secondary credit for completing courses contained in any of these programs. Such credit will count toward graduation requirements. The District will pay for the cost of instructional materials for public high school students who are earning credit toward graduation under the dual enrollment program.

No minor student may participate without the written consent of their parent(s) and/or legal guardian(s).

Annually, all secondary school students and their parents shall be informed of the options available to students for all dual enrollment programs (as an educational option and mechanism for acceleration) and eligibility requirements.

Postsecondary institutions are responsible for assigning a letter grade for each student's work in their enrolled course. The District is responsible for posting dual enrollment course grades as assigned by the postsecondary institution to high school transcripts. The Superintendent shall also establish procedures for the proper entry on a student's transcript and other records of his/her participation in a postsecondary program.

The District may deny high school credit for any portion of postsecondary courses which are taken during the period of a student's expulsion. Any Hernando County Public School student who is expelled is not eligible for enrollment or continuation in postsecondary courses during the period of expulsion except as determined by mutual agreement between the District and the college or university. A student may lose the opportunity to participate in a dual enrollment course if the student is disruptive to the learning process such that the progress of other students or the efficient administration of the course is hindered.

Early College Program

The Board, in conjunction with Florida College System institutions, shall establish one (1) or more early college-structured high school accelerated programs. When creating an early college program, the Board shall execute a contract with a local Florida College System institution that contains all the requirements set forth in F.S. 1007.273. The program

shall be established a mutually agreeable location. Each contract must be executed by January 1st of each school year for implementation during the next school year.

The Board may execute a contract to establish an early college program with a State university or an institution that is eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program, that is a nonprofit independent college or university located and chartered in this State, and that is accredited by an accrediting agency approved by the State Board of Education to grant baccalaureate degrees. Such university or institution must meet the requirements specified under F.S. 1007.273.

Students participating in an early college program must enter into a student performance contract which must be signed by the student, the parent, and a representative of the District and the applicable Florida College System institution, State university, or other institution participating pursuant to State law. The performance contract shall include the schedule of courses, by semester, and industry certifications to be taken by the student, student attendance requirements, and course grade requirements.

Potential Benefits, Risks, and Consequences of Participation in Postsecondary Programs

The potential benefits of participating in postsecondary programs include the following:

- A. expanded curriculum offerings;
- B. opportunities to study in more depth those areas of special interest or need;
- C. opportunities to earn college credits while still in high school;
- D. opportunities for financial support for taking college courses while still in high school; and,
- E. opportunities to experience college-level work and life prior to making final decisions about whether and/or where to attend college.

The potential risks of participation in postsecondary programs include the following:

- A. increased student responsibility for learning because of less instructional guidance;
- B. reduced opportunities to participate in high school co-curricular and extra-curricular activities;
- C. increased financial obligations for tuition, books, materials, and fees, if college credit only is sought;
- D. potential loss of after-school employment opportunities;
- E. possible effect on grade point average and class standing;
- F. possible delay of graduation;
- G. increased time for travel, study, etc.; and,
- H. exposure to mature subject matter and materials, including those of a graphic, explicit, violent, or sexual nature that will not be modified because of the student's participation.

Career Pathways Agreements Between Career Centers and Florida College System Institutions

Any career center operated by the Board with a service area that overlaps with another career center operated by a Florida college system institution will enter into a career pathways agreement. The career pathways agreement will:

- A. outline certificate program completion requirements and any licenses or industry certifications that must be earned before enrolling in an associate degree program;
- B. specify that articulated college credit will be awarded in accordance with the agreement upon initial enrollment in the associate degree program;
- C. guarantee college credit toward an aligned associate degree program for students who graduate from a career center with a career or technical certificate and meet specified requirements in accordance with the terms of the agreement;

D. specify that regional agreements may not award less credit than the amount guaranteed through existing statewide articulation agreements.

On or before May 1st of each year, the Board will submit its career pathways agreements to the FLDOE.

Revised 2/11/20

Revised 7/25/23

Revised 12/12/23

F.A.C. 6A-10.024, Articulation Between and Among Universities, Florida Colleges and School Districts

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F.S. 1007.233

F.S. 1007.27

F.S. 1007.271

F.S. 1007.273

F.S. 1008.44

F.A.C. 6A-10.024, Articulation Between and Among Universities, Florida Colleges and School Districts

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Book	Policy Manual
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Title	New Policy - DISCLOSURE OF SECURITY POLICY AND CRIME STATISTICS (CLERY ACT)
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Status	

New Policy - Vol. 24, No. 2

2452 - DISCLOSURE OF SECURITY POLICY AND CRIME STATISTICS (CLERY ACT)

As a postsecondary school participating in Title IV financial aid programs, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the Clery Act), requires the School Board to publish an annual security report containing policies and statistical information of crimes that occurred on campus and on public property within and immediately adjacent to school-owned buildings and property.

In compliance with this, the Board shall publish to all postsecondary adult education students and employees, and to any applicant for enrollment or employment, upon request, an annual security report containing at least the following information with respect to the District's security policies and campus crime statistics:

- A. A statement of current campus policies regarding procedures and facilities for students and others to report criminal actions or other emergencies occurring on campus and policies concerning the institution's response to such reports.
- B. A statement of current policies concerning security and access to campus facilities, including campus residences, and security considerations used in the maintenance of campus facilities.
- C. To the extent applicable, a statement of current policies concerning campus law enforcement, including:
 1. the law enforcement authority of campus security personnel;
 2. the working relationship of campus security personnel with State and local law enforcement agencies, including whether the institution has agreements with such agencies, such as written memoranda of understanding, for the investigation of alleged criminal offenses; and
 3. policies which encourage accurate and prompt reporting of all crimes to the campus police and the appropriate law enforcement agencies.
- D. A description of the type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others.
- E. A description of programs designed to inform students and employees about the prevention of crimes.
- F. Statistics concerning the occurrence on campus, in or on non-campus buildings or property, and on public property during the most recent calendar year, and during the two (2) preceding calendar years for which data are available:
 1. For the following criminal offenses reported to campus security authorities or local police agencies:

- a. murder
 - b. sex offenses, forcible or non-forcible
 - c. robbery
 - d. aggravated assault
 - e. burglary
 - f. motor vehicle theft
 - g. manslaughter
 - h. arson
 - i. arrests or persons referred for campus disciplinary action for liquor law violations, drug-related violations, and weapons possession
2. Of the crimes described in sub-clauses a. through i. above, for larceny-theft, simple assault, intimidation, and destruction, damage, or vandalism of property, and of other crimes involving bodily injury to any person, in which the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim that are reported to campus security authorities or local police agencies, the data shall be collected and reported according to category of prejudice.
3. The data concerning the above-listed criminal offenses shall be reported annually to the Secretary of the U.S. Department of Education. The same shall be reported to the school community on a timely basis that will aid in the prevention of similar occurrences. Such data shall not identify victims of crimes or persons accused of crimes. The data shall be compiled in accordance with the definitions used in the uniform crime reporting system of the Department of Justice, Federal Bureau of Investigation, and the modifications in such definitions as implemented pursuant to the Hate Crime Statistics Act.
- G. A statement of policy concerning the monitoring and recording through local police agencies of criminal activity at off-campus student organizations which are recognized by the institution and that are engaged in by students attending the institution, including those student organizations with off-campus housing facilities, if applicable.
- H. A statement of policy regarding the possession, use, and sale of alcoholic beverages and enforcement of State underage drinking laws and a statement of policy regarding the possession, use, and sale of illegal drugs and enforcement of Federal and State drug laws and a description of any drug or alcohol abuse education programs.
- I. A statement advising the campus community where law enforcement agency information concerning registered sex offenders may be obtained.
- J. A statement of current campus policies regarding immediate emergency response and evacuation procedures, including the use of electronic and cellular communication (if appropriate), which policies shall include procedures to:
- 1. immediately notify the campus community after the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on campus, unless issuing a notification will compromise efforts to contain the emergency;
 - 2. publicize emergency response and evacuation procedures on an annual basis in a manner designed to reach students and staff; and
 - 3. Test emergency response and evacuation procedures on an annual basis.
- K. A copy of this policy shall be provided with any report pursuant to this policy.

DEFINITIONS

For purposes of this policy:

- A. The term "campus" means:

1. any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and
2. property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes (such as a food or other retail vendor).

B. The term "non-campus building or property" means:

1. any building or property owned or controlled by a student organization recognized by the institution; and
2. any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and
3. any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.

C. The term "public property" means all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.

PROGRAMS

In accordance with 20 U.S.C. 1092(f)(8), the Board will provide programs regarding the prevention of domestic violence, dating violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions. These educational programs may include, but are not limited to, informing students at least annually of this information and of services offered by the Board and local law enforcement agencies as well as ways to maintain personal safety and security on District property. As needed, students are told about crime on campus and in surrounding neighborhoods. Similar information is also provided to employees. Crime prevention and sexual misconduct prevention programs are available on an ongoing basis and focus on personal safety.

The primary prevention and awareness programs for all incoming students and new employees are provided during orientation. The programs will include community-wide or audience specific programming, initiatives, and strategies that increase student and employee knowledge and will share information and resources to prevent violence, promote safety, and reduce perpetration. The primary prevention and awareness programs will also include:

- A. a statement that the District prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking;
- B. training on recognizing "dating violence", "domestic violence", "sexual assault", and "stalking";
- C. a description of safe and positive options for bystander intervention. These are safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
- D. information on risk reduction which are options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence;
- E. a description of the District's ongoing prevention and awareness campaigns for students and employees. These are programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking using a range of strategies with audiences throughout District post-secondary adult education programs.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. This information may be provided in a variety of ways such as videos, speakers, announcements, electronic and cellular communications, security and safety alerts, or written materials such as crime prevention awareness packets.

INCIDENT REPORTS AND INVESTIGATIONS

Once an incident of dating violence, domestic violence, sexual assault, or stalking has been reported, the District will use the following procedures set forth in Policy 5517.

If a violation is substantiated, appropriate measures will be taken, including appropriate discipline of the perpetrator(s) and accommodations or protective measures for the victim(s).

Students who have been the victim of a sexual offense covered by this policy should report to local law enforcement immediately. Prompt reporting is important to preserve evidence as well as witness recollection. Once reported to law enforcement, the student should report the incident to the District Title IX Coordinator_Matt Goldrick , Director of Human Resources and Jill Kolasa, Director of Student Services **[Drafting Note: It is strongly recommended to insert the names and positions of the administrators who have been identified as the "Compliance Officers" under Policy 5517.]** Staff members not designated to receive reports who otherwise receive a report from a student should immediately report such incident to the individuals identified above, or to their direct supervisor if a compliance officer is not available.

The District's normal disciplinary procedures will be followed for imposing discipline where warranted. In all disciplinary hearings, the accused and the accuser shall both have the right to representation or to have others present at such hearing for support. Both the accused and the accuser will be informed of the outcome of any investigation and disciplinary procedure, to the extent permitted by laws concerning the confidentiality of student records.

The District will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the District and the community.

The District will provide notification to students about options for, and available assistance in, changing academic and living situations after an alleged sexual assault incident, if so requested by the victim and if such changes are reasonably available.

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Legal

The Violence Against Women Reauthorization Act of 2013 Amendments to the Jeanne Clery Act, 20 U.S.C. 1092(f).

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Book	Policy Manual
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Code	*po2455 1-6-24 am NEW POLICY jfk 2/21/24
Status	

New Policy - Vol. 24, No. 2**2455 - DROPOUT PREVENTION AND ACADEMIC INTERVENTION PROGRAMS**

"Dropout prevention and academic intervention programs" is defined as a variety of programs designed to lead to improved academic achievement, attendance and discipline for a student who has been identified as academically unsuccessful, having a pattern of excessive absenteeism or truancy, a history of disruptive behavior, or identified by a school's early warning system. The District shall establish and implement program eligibility for students in grades 1-12 based on academic achievement, attendance, and discipline criteria in accordance with F.S. 1003.53. An Academic Intervention Plan (AIP) must be developed no more than thirty (30) days after each student's entry into the program. An Exceptional Student Education (ESE) student's AIP must be consistent with their Individualized Education Program (IEP). The AIP must include measurable objectives and related services to address the student's needs and transition goals to support the student's next educational placement or postsecondary option.

The District shall establish course standards, including credit recovery course procedures, as defined by F.A.C. 6A-6.0521, and requirements for assigning teachers to these programs that possess the necessary effective, pedagogical, and content-related skills to meet the needs of the students.

The parent of a student has the right to receive written notice by certified mail at least five (5) days before a student is initially enrolled in, or at least five (5) days before a student initially receives services under, prior to placement of the student in a dropout prevention and academic intervention program. The parent will be notified in writing and entitled to an administrative review of any action by school personnel relating to the student's placement. Thereafter, the parent must be notified annually. The notification must be in the parent's primary language or other mode of communication commonly used by the parent unless clearly not feasible pursuant to F.A.C. 6A-6.0908.

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Legal [F.S. 1003.53](#)
[F.A.C. 6A-6.0521](#)

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Book	Policy Manual
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2460 - **EXCEPTIONAL STUDENT EDUCATION**

The School Board, as an expression of its commitment to provide a free, appropriate, public education for students with disabilities in accordance with State and Federal laws, rules, and regulations, shall develop and implement Special Programs and Procedures for Exceptional Students and the District Plan for Exceptional Student Education. These documents shall include at least the components listed below, shall provide administrative procedures for Exceptional Student Education Programs, and shall be revised when required by the Florida Department of Education (FLDOE), readopted, and submitted to the FLDOE.

A. Child Identification

The District will make ongoing efforts to identify, locate, and evaluate students below twenty-two (22) years of age, who reside within the District and have a confirmed or suspected disability in accordance with all Federal regulations and State standards.

B. Procedural Safeguards

A child with a disability and his/her parent shall be provided with safeguards, as required by law, throughout the identification, evaluation, and placement process, and the provision of a free, appropriate, public education to the student.

C. Multifactor Evaluation

A student may not be given special instruction or services as an exceptional student until after s/he has been properly evaluated and found eligible as an exceptional student in the manner prescribed by rules of the State Board of Education.

The District will provide a multifactor evaluation for students with disabilities by ensuring that:

1. children are assessed in their native language or other mode of communication;
2. tests are used for their validated purposes;
3. children are evaluated in all areas related to their suspected disability;
4. testing is conducted by a multidisciplinary team;
5. testing materials and procedures are not racially or culturally biased;

6. tests are administered by trained personnel qualified in accordance with all Federal regulations and State standards;
7. tests are administered in conformance with the instructions provided by the producer;
8. medical evaluation, when required as part of the multifactorial evaluation, shall be provided at no cost to the parent by a licensed physician designated by the Superintendent or his/her designee, when other no-cost resources are not available.

The parent of an exceptional student evaluated and found eligible or ineligible shall be notified of each such evaluation and determination. Such notice shall contain a statement informing the parent that s/he is entitled to a due process hearing on the identification, evaluation, and eligibility determination or non-determination.

D. Individualized Education Program

The District will develop an ~~individualized education program~~ Individualized Education Program (IEP) for each child with a disability who needs special education and related services. The IEP shall be designed to meet the unique educational needs of the child and shall be developed in meetings with the child's designated IEP Team. At the initial meeting of a student's IEP team, the District will provide parents with information about the amount of funding the District receives for each of the five (5) exceptional student education support levels for a full-time student.

Parents of the child shall be strongly encouraged to participate in all planning conferences and IEP Team meetings. The school will provide written notice of an IEP meeting to the parent at least ten (10) days before the meeting, indicating the purpose, time, and location of the meeting and who, by title or position, will attend the meeting. The IEP Team meeting requirement may be waived by informed consent of the parent after the parent receives the written notice.

The District will utilize FLDOE parental consent forms for the following actions in a student's IEP:

1. administer to the student an alternate assessment pursuant to F.S. 1008.22 and provide instruction in the State standards access points curriculum; and
2. place the student in an exceptional student education center.

Except for a disciplinary interim alternative placement for no more than forty-five (45) school days, if the District determines that there is a need to change a student's IEP as it relates to the actions described above in 1 and 2, the school must hold an IEP Team meeting that includes the parent to discuss the reason for the change.

The District will not implement the change without parental consent unless the District documents reasonable efforts to obtain the parent's consent and the child's parent has failed to respond, or the District obtains approval through a due process hearing.

The IEP will include the components listed in F.A.C. 6A-6.03028, *Provision of Free Appropriate Public Education (FAPE) and Development of Individual Educational Plans for Students with Disabilities*.

The child's IEP shall be reviewed and revised as often as necessary, but at least annually.

District personnel will collaborate with private instructional personnel who are hired or contracted by parents in compliance with F.S. 1003.572. "Private instructional personnel" include only the following:

1. individuals certified under F.S. 393.17 or licensed under Chapter 490 or Chapter 491 for applied behavior analysis services as defined in F.S. 627.6686 and 641.31098;
2. registered behavior technicians who have a nationally recognized paraprofessional certification in behavior analysis and who practice under the supervision of individuals licensed under F.S. 393.17 or licensed under F.S. Chapter 490 or Chapter 491 by assisting such individuals in the provision of applied behavior analysis services;

To provide services under this paragraph, a registered behavior technician must be employed by a provider described in Paragraph 1 above.

3. speech-language pathologists licensed under F.S. 468.1185;

4. occupational therapists licensed under part III of 379 Chapter 468;
5. physical therapists licensed under Chapter 486;
6. psychologists licensed under Chapter 490; and
7. clinical social workers licensed under Chapter 491.

Private instructional personnel who are hired or contracted by parents to collaborate with public instructional personnel will be permitted to observe the student in the educational setting, collaborate with instructional personnel in the educational setting, and provide services in the educational setting only if the following requirements are met:

1. the student's public instructional personnel and principal consent to the time and place; and
2. the private instructional personnel satisfy the requirements of F.S. 1012.32 or 1012.321.

E. Least Restrictive Environment

The education of students with disabilities will occur in the least restrictive environment through appropriate special education programs and services designed to meet the unique needs of each disabled student. District personnel will use the regular school facilities and adapt them to the needs of exceptional students to the maximum extent appropriate. To the extent appropriate, students with disabilities, including students in public or private institutions or other care facilities, shall be educated with students who are not disabled. Placement of exceptional students will occur only when the nature or severity of the exceptionality is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

F. Confidentiality of Data

The confidentiality of personally identifiable data relating to children with disabilities and their parents and families shall be protected at collection, storage, disclosure, and destruction; one official of this District shall be assigned the responsibility for protecting the confidentiality of personally- identifiable data. The District follows all Federal regulations and State standards related to the confidentiality of data. (See Policy 8330 - *Student Records*)

G. Due Process

The District will use procedures to allow differences of opinion between parents and this District or between agencies and this District, to be aired and resolved. The procedures shall provide for case conferences and impartial hearings on the District's proposal or refusal to initiate or change the identification, evaluation, eligibility, or educational placement of the child, or the provision of FAPE to the child.

The impartial hearings shall be conducted by an administrative law judge (ALJ) from the Florida Division of Administrative Hearings (DOAH) and shall be final. However, any party who does not agree with the findings and decision in the due process hearing, including a hearing relating to disciplinary procedures, has the right to bring a civil action with respect to the matter that was the subject of the due process hearing. The action may be brought in a State court of competent jurisdiction or in a district court of the United States without regard to the amount in dispute. In the alternative, in hearings conducted on behalf of a student who is identified as gifted, any party aggrieved by the decision of the ALJ has the right to request a review of the order by the District Court of Appeal as provided in F.S. 120.68.

During the pendency of a due process hearing or appellate proceeding regarding a due process complaint, the student shall remain in his/her current educational assignment, unless the parent and the Board otherwise agree.

H. Surrogate Parent

It shall be the policy of the District that whenever the parent or a person who acts in a parental role to a child with a disability or a child suspected of having a disability is determined to be legally unavailable, the child's rights shall be protected through the assignment of a surrogate parent. A surrogate parent means an individual appointed by the Superintendent and/or the court to act in place of a parent in educational decision-making and in safeguarding a child's rights under the Individuals with Disabilities Education Act. The surrogate parent shall not be an employee of the Department of Education, the School District, a community-based care provider, the Department of Children and Family Services, or any other public or private agency involved in the education or care of the child. The surrogate parent shall meet all statutory requirements and attend the required training to be appointed. The Superintendent shall appoint a surrogate not more than thirty (30) days after the District determines a particular student is in need

of a surrogate.

I. Testing Programs

Students with disabilities shall participate in local and State-wide testing programs to the maximum extent appropriate. Individual exemptions shall be determined only by the student's IEP Team. Exceptional students with disabilities shall have access to testing sites.

A student for whom the IEP Team determines that the State mandated testing cannot accurately measure the student's abilities, taking into consideration all allowable accommodations, shall have the State mandated testing requirement waived for the purpose of receiving a standard high school diploma if the student completes the minimum number of credits and other requirements for graduation, but does not earn a passing score on the State mandated testing after one (1) opportunity in the 10th grade and one (1) opportunity in the 11th grade.

Further, pursuant to State law, the IEP team may determine that end-of-course assessment cannot accurately measure the abilities of the student and may, therefore, waive the use of the results of the end-of-course assessment for purposes of determining the student's course grade and middle school promotion or award of high school credits.

If the IEP Team determines that a student with a disability is prevented by a "circumstance" or "condition" as defined in F.S. 1008.212 from physically demonstrating the mastery of skills that have been acquired and are measured by the Statewide standardized assessment, a Statewide standardized end-of-course assessment, or an alternate assessment under F.S. 1008.22(3)(c), the IEP Team may submit to the superintendent a written request for an extraordinary exemption from the administration of the assessment, pursuant to F.S. 1008.212. The request may be made at any time during the school year, but not later than sixty (60) days before the assessment for which the request is made. The superintendent will recommend to the Commissioner of Education whether the request should be granted or denied, and the Commissioner will grant or deny the requested exemption within thirty (30) days. A copy of the District's procedural safeguards as required in F.A.C. 6A-6.03311 shall be provided to the parent. If the parent disagrees with the IEP Team's recommendation, the dispute resolution methods described in the procedural safeguards shall be made available to the parent.

A parent who disagrees with the Commissioner's denial of a requested extraordinary exemption may request an expedited hearing before DOAH pursuant to F.S. 1008.212.

J. Right to be Accompanied at Meetings Pertaining to Students with Disabilities

Parents of students with disabilities, or eligible students with disabilities, may be accompanied by another person of their choice at a meeting with District personnel. Such meetings include, but are not limited to, meetings related to the eligibility for exceptional student education or related services; the development of an individual family support plan (IFSP); the development of an individual education plan (IEP); the development of a 504 accommodation plan issued under Section 504 of the Rehabilitation Act of 1973; the transition of a student from early intervention services to other services; the development of postsecondary goals for a student with a disability and the transition services needed to reach those goals; and other issues that may affect the student's educational environment, discipline, or placement of a student with a disability.

District personnel will not object to the attendance of such adult or discourage or attempt to discourage through any action, statement, or other means, parents or an eligible student, from inviting another person of their choice to attend a meeting. Parents, eligible students, or other individuals invited to attend such meetings by parents of students with disabilities or eligible students with disabilities on school grounds shall sign in at the front office of such school as a guest.

Parents of students with disabilities, or eligible students with disabilities, and District personnel shall sign Form 5780 F1 at the meeting's conclusion which states whether or not any District personnel have prohibited, discouraged or attempted discourage the parents, or eligible student, from inviting a person of their choice to the meeting pertaining to their child's, or their own, educational environment, placement, or discipline.

K. Early Literacy Skills for Retained Prekindergarten Students

A parent of a student with a disability who is enrolled in prekindergarten at the age of 4 and is fully funded through the Florida Education Finance Program may retain their child in consultation with the student's IEP team. A student with an IEP who has been retained pursuant to this paragraph and has demonstrated a substantial deficiency in early literacy skills shall receive instruction from the District in early literacy skills.

L. Transfer of Parental Rights at Age of Majority

Unless an exception applies under the rules of the State Board of Education, when a student with a disability reaches the age of eighteen (18), the right of prior written notice is retained as a shared right of the parent and the student. All other parent rights under the IDEA then transfer to the student. At least one (1) year before the student reaches the age of eighteen (18), the Board will provide written notice of the transfer of parent rights and information about the ways in which the parent may continue to participate in educational decisions, including informed consent, power of attorney, guardian advocacy and guardianship.

M.

Placement by the Department of Children and Family Services

After the Department of Children and Family Services provides written notification to the District that an exceptional student has been placed in a private residential care facility, the receiving school district shall, within ten (10) business days, review the student's ~~individual education plan (IEP)~~ and shall:

- A. provide educational instruction to the student;
- B. contract with another provider to provide the educational instruction;
- C. contract with the private residential care facility in which the student resides to provide the educational instruction;
or
- D. decline to provide or contract for educational instruction, in which case the school district in which the legal residence of the student is located shall provide or contract for the educational instruction of the student.

The Superintendent shall administer the local implementation of these State procedures, in accordance with State and Federal laws, rules, and regulations, which shall ensure fulfillment of this policy.

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Legal

F.S. 1001.41

F.S. 1001.42

F.S. 1002.20

F.S. 1003.01(3)

F.S. 1003.4156

F.S. 1003.57

F.S. 1003.5715

F.S. 1003.572

F.S. 1008.212

F.S. 1008.22

F.S. 1008.24

Statewide Assessment for Students with Disabilities, F.A.C. 6A-1.0943

Florida Alternate Assessment Requirements, F.A.C. 6A-1.09430

Provision of Free Appropriate Public Education (FAPE) and Development of Individual Educational Plans for Students with Disabilities, F.A.C. 6A-6.03028

Procedural Safeguards and Due Process Procedures for Parents and Students with Disabilities, F.A.C. 6A-6.03311

Procedural Safeguards for Exceptional Students Who Are Gifted, F.A.C. 6A-6.03313
Surrogate Parents, F.A.C. 6A-6.0333

Definitions, ESE Policies and Procedures, and ESE Administrators, F.A.C. 6A-6.03411

20 U.S.C. 1400 et seq.

20 U.S.C. 1401 et seq.

34 C.F.R. Part 300

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Book	Policy Manual
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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.

"Library media center" means any collection of books, ebooks, periodicals, or videos maintained and accessible on the site of a school, including in classrooms.

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 or classroom library, or included on a reading list.

Each principal shall provide that instructional materials are used to provide instruction to students enrolled at the grade level or levels for which the materials are designed pursuant to adopted Board policies. Each principal shall communicate to parents the manner in which instructional materials are used to implement the curricular objectives of the school and the procedures for contesting the adoption and use of instructional materials. Principals are also responsible for overseeing compliance with District procedures for selecting school library media center materials at the school to which they are assigned and notifying parents of the process for objecting to the use of specific materials.

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 students who will have access to such materials.

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

Certification by Superintendent

By April 1 of each year, the Superintendent will provide notice to the Department of Education of the State-adopted instructional materials that will be requisitioned for use in the district, including the District's plan for use of the materials.

On or before July 1 each year, the Superintendent will certify to the Commissioner of Education (1) the estimated allocation of state funds for instructional materials for the ensuing fiscal year; and (2) that school librarians and media specialists who are involved in the selection of library media materials for students have completed the online Library Media Training course.

By August 1 each year, the Superintendent will certify to the Commissioner of Education (1) that the Board has approved a comprehensive staff development plan that supports fidelity of implementation of instructional materials programs, including verification that training was provided; (2) that the materials are being implemented as designed, and that core reading materials and reading intervention materials used in kindergarten through grade 5 meet the requirements of F.S. 1001.215; (3) that all instructional materials for core courses are aligned to state academic standards; (4) that core reading and reading intervention materials used in grades kindergarten through grade 5 meet the requirements of F.S. 1001.215(7); and (5) that any material objected to by a parent or resident during the previous year under F.S. 1006.28 has been identified, along with the reasons for objection, and the grade and courses for which the material was removed or discontinued.

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 of List of Instructional Materials and Process to Limit Student Access

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.

The Board will adopt and publish on its website the process for a parent to limit his/her student's access to materials in the school or classroom library.

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 and accessible in the school library media center or a classroom library 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

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.

A student or 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 prekindergarten through grade 5 students who are not yet reading on grade level, who score below a level 3 in the preceding year's Statewide, standardized English Language Arts Assessment (ELA), or who have a substantial reading deficiency identified under F.S. 1008.25, or who have a substantial deficiency in early literacy skills based upon the results of the coordinated screening and progress monitoring under F.S. 1008.25.

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 District shall also establish a data-sharing agreement with the initiative's administrator to allow for a streamlined student verification and enrollment process.

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.

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Revised 12/13/22

Revised 4/11/23

Revised 12/12/23

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[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. 1006.40

[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](#)

F.A.C. 6A-7.0715

[34 C.F.R. Part 300](#)

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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.

"Library media center" means any collection of books, ebooks, periodicals or videos maintained and accessible on the site of a school, including in classrooms.

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.

Certification by Superintendent

~~The~~By March 31st of each year, the Superintendent shall certify to the Florida Department of Education (FLDOE) ~~by March 31st of each year~~ (1) that all instructional materials for core courses used by the District are aligned with applicable State standards; and (2) that the District's process for review, selection and adoption of instructional materials complies with the hearing and public meeting requirements of the Board and F.S. 1006.283. A list of the core instructional materials that will be used or purchased for use by the District shall be included in the certification.

On or before July 1 each year, the Superintendent will certify to the Commissioner of Education (1) the estimated allocation of State funds for instructional materials for the ensuing fiscal year; and (2) that school librarians and media specialists

who are involved in the selection of library media materials for students have completed the online Library Media Training course.

By August 1 each year, the Superintendent will certify to the Commissioner of Education (1) that the Board has approved a comprehensive staff development plan that supports fidelity of implementation of instructional materials programs, including verification that training was provided; (2) that the materials are being implemented as designed, and that core reading materials and reading intervention materials used in kindergarten through grade 5 meet the requirements of F.S. 1001.215; (3) that all instructional materials for core courses are aligned to State academic standards; (4) that core reading and reading intervention materials used in grades kindergarten through grade 5 meet the requirements of F.S. 1001.215(7); and (5) that any material objected to by a parent or resident during the previous year under F.S. 1006.28 has been identified, along with the reasons for objection, and the grade and courses for which the material was removed or discontinued.

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.

- e. When such instructional materials are for foundational reading skills, include only materials that are based on the science of reading and include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies within such materials may not employ the three-cueing system model of reading or visual memory as a basis for teaching word

reading. Instructional strategies within such materials may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but may not be used to teach word reading.

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. If such instructional materials are for foundational reading skills, the materials shall be based on the science of reading and include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies within such instructional materials may not employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. The instructional strategies within such instructional materials may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but may not be used to teach word reading.

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 his/her duties, a District instructional materials reviewer shall execute an affidavit which substantially includes the following requirements of F.S. 1006.30:

- A. The reviewer will faithfully discharge the duties imposed upon him/her.
- B. The reviewer has no interest in any publishing or manufacturing organization that produces or sells instructional materials.
- C. The reviewer is in no way connected with the distribution of the instructional materials.

- D. The reviewer does 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 reviewer will not accept any emolument or promise of future reward of any kind from any publisher or manufacturer of instructional materials or his/her agent or anyone interest in, or intending to bias his/her judgment in any way in, the selection of any materials to be adopted.
- F. The reviewer 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 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 a resident of the county who has maintained his/her residence in Florida for the preceding year, has purchased a home that is occupied by him/her as his/her residence, or has 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 of List of Instructional Materials and Process to Limit Student Access

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.

The Board will also adopt and publish on its website the process for a parent to limit his/her student's access to materials in the school or classroom library.

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 and accessible in the school library media center or a classroom library 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 bidder making the deposit fails or refuses to execute the contract and bond within thirty (30) days after receipt of the contract in case 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 official receipt.

Sample copies of all instructional materials that have been made the basis 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 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 soft-backed 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 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

A student or 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 prekindergarten through grade -5 students who are not yet reading on grade level, who score below a level 3 in the preceding year's Statewide, standardized English Language Arts Assessment (ELA), who have a substantial reading deficiency identified under F.S. 1008.25, or who have a substantial deficiency in early literacy skills based upon the results of the coordinated screening and progress monitoring under F.S. 1008.25.

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 District shall also establish a data-sharing agreement with the initiative's administrator to allow for a streamlined student verification and enrollment process.

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.

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Legal

F.A.C. 6A-7.0715

[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 Annette Martinson on March 13, 2024

Book	Policy Manual
Section	Vol. 24, No.2, Nov. 23 Revised
Title	CHALLENGES TO ADOPTION OR USE OF INSTRUCTIONAL, LIBRARY, OR READING LIST MATERIALS
Code	*po2522 am 1-6-24, TH 2-12-24, KD 2-22-24
Status	
Adopted	October 25, 2022
Last Revised	December 12, 2023

2522 - **CHALLENGES TO ADOPTION OR USE OF INSTRUCTIONAL, LIBRARY, OR READING LIST MATERIALS**

The following individuals may contest the adoption of a specific instructional material, or object to the use of specific material used in a classroom, made available in a school or classroom library, or included on a reading list:

- A. parent of a student in the district; ~~and~~ **or**
- B. resident of the county.

For purposes of this policy, "parent" means a parent of a student enrolled in the District's schools. "Resident" means a person residing in the county who has maintained their residence in Florida for the preceding year, has purchased a home that is occupied by them as their residence, or has established a domicile in Florida pursuant to F.S. 222.17.

Contest of School Board's Adoption

Filing a Petition

A parent or resident must file a petition with the Board within thirty (30) calendar days after the Board's adoption of specific instructional material, on a form provided by the Board. The petition form shall be publicly available by visiting any school in person or by accessing the link on the Board's website. The petition must be signed by the parent or resident, include the required contact information, and state the objection to the instructional material based on the criteria set forth in F.S. 1006.31(2) or 1006.40(3)(d).

Timeframe for Hearing

When the thirty (30) calendar day period following Board adoption of the instructional material in question has expired, the Board will conduct at least one (1) open public hearing before an unbiased and qualified hearing officer for all timely petitions received.

Hearing Officers

Hearing officers are not employees or agents of the District with the exception of any agreement entered into for purposes of conducting the hearings set forth herein. Hearing officers shall be selected annually by the Board from a list of candidates provided by the Superintendent.

Procedures for Hearings

Petitioners will have an adequate and fair opportunity to be heard and present evidence to the hearing officer. Hearings shall be conducted as follows:

- A. The petitioner may make an opening statement.
- B. The District's representative may make an opening statement.
- C. The petitioner may present evidence (including documents and testimony from witnesses) that instructional material does not meet the criteria of F.S. 1006.31(2) or 1006.40(3)(d) if it was selected for use in a course or otherwise made available to students in the School District but was not subject to the public notice, review, comment, and hearing procedures under F.S. 1006.283(2)(b)8., 9., and 11.
- D. The District representative may present evidence (including documents and testimony from witnesses) that the instructional material does meet the criteria of F.S. 1006.31(2) or 1006.40(3)(d) if it was selected for use in a course or otherwise made available to students in the School District but was not subject to the public notice, review, comment, and hearing procedures under F.S. 1006.283(2)(b)8., 9., and 11.
- E. The petitioner may make a closing statement.
- F. The District representative may make a closing statement.

Within fourteen (14) days of the date of the hearing, the hearing officer shall submit a recommended order to the Board. The Board shall consider the recommended order and enter a final order at a publicly noticed Board meeting. If the petitioner proves that the instructional material does not meet the criteria required under F.S. 1006.28, or contains prohibited material under that statute, the material shall be removed in accordance with Florida law. The Board's decision is final and not subject to further petition or review.

Hearings under this policy are not subject to the provisions of F.S. Chapter 120.

Objections to Material Used in Classrooms, Made Available in a School or Classroom Library, or Included On a Reading List

Parents ~~and~~ or residents of the county may object to the use of a specific instructional material in the classroom, made available in a school or classroom library, or included on a reading list, based on the criteria set forth in F.S. 1006.28(2)(a)2. or F.S. 1014.05(1)(c).

The District's process and objection form, which are easy to read and understand, are accessible on the homepage of the District's website.

All challenges under this policy shall be addressed as follows:

- A. Unless and until a standard objection form is adopted by the State Board of Education, the District's objection form, which shall identify the District's point of contact and contact information for the submission of an objection, must be provided to the Principal and shall include:
 - 1. author;
 - 2. title;
 - 3. publisher;
 - 4. the complainant's familiarity with the material challenged;
 - 5. sections challenged, by page and item;
 - 6. whether the challenged material contains content that: is pornographic or prohibited under F.S. 847.012; depicts or describes sexual conduct as defined in F.S. 847.001(19)(unless such material is for a course required by F.S. 1003.46, F.S. 1003.42(2)(n)1.g., F.S. 1003.42(2)(n)3., or identified by State Board of Education rule); is not suited to student needs and their ability to comprehend the material presented; or, is inappropriate for the grade level and age group for which the material is used.

Any material that is subject to an objection on the basis that it is pornographic or prohibited under F.S. 847.012 or depicts or describes sexual conduct as defined in F.S. 847.001(19)(unless such material is for a course required by F.S. 1003.46, F.S. 1003.42(2)(n)1.g., F.S. 1003.42(2)(n)3., or identified by State Board of Education rule) must be removed within five (5) school days of receipt of the objection and remain unavailable to students of that school until the objection is resolved.

Parents shall have the right to read passages from any material that is subject to an objection. If the Board denies a parent the right to read passages due to content that is subject to an objection on the basis that it is pornographic or prohibited under F.S. 847.012 or depicts or describes sexual conduct as defined in F.S. 847.001(19)(unless such material is for a course required by F.S. 1003.46, F.S. 1003.42(2)(n)1.g., F.S. 1003.42(2)(n)3., or identified by State Board of Education rule), the District shall discontinue the use of the material.

- B. Upon receipt of the information, the Principal may after advising the Assistant Superintendent of Teaching and Learning of the complaint, and upon the Assistant Superintendent's approval, appoint a review committee which must consist of one (1) or more instructional staff members including Media Specialist, District Official, Curriculum Member, Principal, Teacher; Community Member; one (1) or more parents of students who will have access to the materials; one (1) or more lay persons knowledgeable in the area. Meetings of review committees must be noticed and open to the public in accordance with F.S. 286.011.
- C. The committee, in evaluating the questioned material, shall be guided by the following criteria: the appropriateness of the material for the age and maturity level of the students with whom it is being used, the accuracy of the material, the objectivity of the material, the use being made of the material.
- D. The material in question, except material that must be removed within five (5) school days pursuant to Florida law, may be withdrawn from use pending the committee's recommendation to the Superintendent.
- E. The committee's recommendation shall be reported to the Superintendent in writing within fifteen (15) business days following the formation of the committee. The Superintendent will advise the complainant, in writing, of the committee's recommendation and advise the Board of the action taken or recommended.
- F. The Board will review the case, including all evidence proffered by the complainant, during a publicly noticed Board meeting. The Board shall announce during the meeting whether the challenged material meets the requirements of this Policy. The complainant shall submit any additional evidence for the Board's consideration no later than fourteen (14) days before the meeting at which the Board will consider the challenge.

No challenged material may be removed from the curriculum or from a collection of resource materials except by action of the Board or as otherwise required in this policy and Florida law, and no challenged material may be removed solely because it presents ideas that may be unpopular or offensive to some. Any Board action to remove material will be accompanied by the Board's statement of its reasons for the removal.

If the Board finds that any material meets the requirements under F.S. 1006.28(2)(a)2.a or that any other material contains prohibited content under F.S. 1006.28(2)(a)2.b.(I), the District shall discontinue use of the material.

If the Board finds that any other material contains prohibited content under F.S. 1006.28(2)(a)2.b.(II)-(IV), the District shall discontinue use of the material for any grade level or age group for which such use is inappropriate or unsuitable.

If a parent disagrees with the determination made by the Board on the objection to the use of a specific material, a parent may request the Commissioner of Education to appoint a special magistrate who is a member of The Florida Bar in good standing and who has at least five (5) years' experience in administrative law. The special magistrate shall determine facts relating to the District's determination, consider information provided by the parent and the District, and render a recommended decision for resolution to the State Board of Education within thirty (30) days after receipt of the request by the parent.

The State Board of Education must approve or reject the recommended decision at its next regularly scheduled meeting that is more than seven (7) calendar days and no more than thirty (30) days after the date the recommended decision is transmitted. The costs of the special magistrate shall be borne by the District.

Annual Report to the Florida Department of Education

Annually, beginning June 30, 2023, the Board shall submit to the Commissioner of Education a report that identifies the following:

- A. Each material for which the District received an objection, including the grade level and course the material was used in, for the school year and the specific objections thereto;
- B. Each material that was removed or discontinued; and

C. Each material that was not removed or discontinued and the rationale for not removing or discontinuing the material.

Revised 4/25/23
Revised 12/12/23

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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-1.094126

[F.A.C. 6A-6.03028](#)

F.A.C. 6A-7.0714

[34 C.F.R. Part 300](#)

Last Modified by Annette Martinson on March 14, 2024

Book	Policy Manual
Section	Vol. 24, No.2, Nov. 23 Revised
Title	STUDENT ASSESSMENT
Code	*po2623 1-6-24 am, SS 2/20/24
Status	
Adopted	June 13, 2017
Last Revised	December 12, 2023

2623 - **STUDENT ASSESSMENT**

The School Board shall assess student achievement and needs in all program areas in compliance with the law and rules of the State Board of Education. The purpose will be to determine the progress of students and to assist them in attaining student performance objectives and the educational achievement goals of this District. Each student must participate in the Statewide, standardized assessment program and the local assessment program as required by law.

Student performance data shall be used in developing objectives for the school improvement plan, evaluating instructional personnel and administrative personnel, assigning staff, allocating resources, acquiring instructional materials and technology, implementing performance-based budgeting, and promoting and assigning students to educational programs. The analysis of student performance data will identify strengths and needs in the educational program and trends over time, and be used in conjunction with budgetary planning and development of remediation programs.

The Board shall require the following:

- A. mandatory participation by all eligible students as defined by the State Board of Education rules;
- B. industry certification examinations, national assessments, and Statewide assessments offered by the District be made available to all Florida Virtual School students in the District;
- C. industry certification examinations, national assessments, and Statewide assessments be taken at the student's regularly assigned school unless an alternative site is mutually agreed to by the District and the Florida Virtual School or authorized contractor The District will notify students of the date and time of the administration of each examination or assessment.
- D. parents be informed of the testing program of the schools and of the Statewide, standardized tests or the local assessments that are to be administered to their children;
- E. data regarding individual test scores on either the Statewide, standardized tests or the local assessments be entered on the student's cumulative record, where it will be subject to the policy of this Board regarding student records;
- F. school and District test results will be reported to the public annually;
- G. the Superintendent shall develop procedures for the annual assessment of first, second, and third grade students on their reading proficiency and identify those students who are reading below grade level. S/He shall ensure that each student's teacher is involved in the assessment and in the identification of those students who are reading below grade level.

The District will notify the parent of each student who exhibits a deficiency in reading, shall consult with the parent in the development of a progress monitoring plan, and will provide intensive reading instruction to the student until the deficiency is corrected.

Statewide Standardized Assessment

The Board shall administer the Statewide, standardized tests to students at the grade levels and for the subjects at the times designated by the Florida Commissioner of Education. The Statewide, standardized assessment program consists of Statewide, standardized comprehensive assessments, end-of-course (EOC) assessments, and the Florida Alternate Assessment.

A Statewide standardized EOC assessment must be used as the final cumulative examination for its associated course. No additional final assessment may be administered in a course with a Statewide, standardized EOC assessment. A District-required local assessment may be used as the final cumulative examination for its associated course in accordance with Board policy.

Local Assessments

The District shall administer a local assessment that measures student mastery of course content at the necessary level of rigor for the grade levels/subjects that are not included in the subjects and grade levels measured under the Statewide, standardized assessment program. The course content that will be measured by the local assessments is set forth in the State standards that are required by F.S. 1003.41 and in the course description.

The District will provide a student's performance results on District-required local assessments to the student's teachers and parent within one (1) week after administering such assessments unless the superintendent determines in writing that extenuating circumstances exist and report the extenuating circumstances to the Board. Results will be made available through a web-based portal as part of the District's student information system and in a printed format upon request by a student's parent.

Local Assessment Committees

The Superintendent is authorized to convene local assessment committees to evaluate the assessments that are available to measure the performance of the District's students in all subjects and grade levels not measured by Statewide, standardized assessments, and to recommend to the Superintendent the assessment that would be most appropriate for the purpose required by State law. In so doing, these committees shall consider item banks, facilitating the sharing of developed tests with other school districts, acquiring assessments from State and national curriculum-area organizations, and providing technical assistance in best professional practices of test development based upon State-adopted curriculum standards, as well as established protocols for Statewide, standardized assessments concerning administration, scoring, and security.

Upon approval of the Superintendent of the specific type of assessment to be used at each grade level and for each subject not measured by a Statewide, standardized assessment, these committees shall then be responsible for the selection and/or development of each specific assessment, the development of the protocols that will govern the administration of the assessment, the protocols to be used in the scoring of each local assessment, and any protocols necessary for test security. The committee shall also be responsible for recommending to the Superintendent the method for collecting assessment results.

During the development of the local assessment program, progress reports shall be made to the Board about the work of the local assessment committees, and when the development of the local assessment program for each grade level and the subject area has not been completed.

Scheduling of Assessments

- A. The Board will establish schedules for the administration of any Statewide, standardized assessments and District-required assessments and approve the schedules as an agenda item at a Board meeting. The Board will publish the testing schedules on its website using the Department of Education's uniform calendar with the information required by State law.

The Board will submit the schedules to the Department of Education by October 1st of each year. Each District school will publish the schedules for Statewide, standardized assessments and District-required assessments on its website using the uniform calendar.

- B. The Board will not schedule more than five percent (5%) of a student's total school hours in a school year to administer Statewide, standardized assessments, the coordinated screening and progress monitoring system under F.S. 1008.25, and District-required local assessments. The Board will secure written consent from a student's parent before administering District-required local assessments that, after applicable Statewide standardized assessments and coordinated screening and progress monitoring are scheduled, exceed the five percent (5%) test administration limit for that student. The five percent (5%) test administration limit for a student may be exceeded if necessary to provide test accommodations that are required by an IEP or are appropriate for an English language learner who is currently receiving services in the District's English language learner program.

Assessment Preparation

No school in this District may suspend the regular program of curricula to administer practice assessments or engage in other assessment-preparation activities for a Statewide, standardized assessment. However, the Board authorizes schools to:

- A. distribute to students sample assessment books and answer keys that are published by the Florida Department of Education;
- B. provide individual instruction in assessment-taking strategies without suspending the school's regular program of curricula for a student who scores at Level 1 or Level 2 on a prior administration of the Statewide assessment;
- C. provide individualized instruction in the content knowledge and skills assessed, without suspending the school's regular program of curriculum for a student who scores at Level 1 or Level 2 on a prior administration of the Statewide assessment or a student who, through a diagnostic assessment administered by the District is identified as having a deficiency in the content knowledge and skills assessed; and
- D. administer a practice assessment or engage in other assessment preparation activities for the statewide assessment which are determined necessary to familiarize students with the organization of the assessment, the format of the assessment items, and the assessment directions, or which are otherwise necessary for the valid and reliable administration of the assessment, as set forth in rules adopted by the State Board of Education.

Students with Disabilities

A. Participation in Statewide Standardized Assessments with or without Accommodations

All students with disabilities will participate in the Statewide standardized assessment program based on State standards, pursuant to F.A.C. 6A-1.09401, without accommodations unless the student's individual educational plan (IEP) team, or the team that develops the plan required under Section 504 of the Rehabilitation Act, determines and documents that the student requires allowable accommodations during instruction and for participation in a Statewide standardized assessment.

"Accommodations" are defined as adjustments to the presentation of the Statewide standardized assessment questions, methods of recording examinee responses to the questions, scheduling for the administration of a Statewide standardized assessment to include amount of time for administration, settings for administration of a Statewide standardized assessment, and the use of assistive technology or devices to facilitate the student's participation in a Statewide standardized assessment. Accommodations that negate the validity of a Statewide standardized assessment are not allowable.

The provision of accommodations for students with disabilities shall be provided in accordance with F.A.C. 6A-1.0943 and applicable State and Federal laws.

B. Florida Alternate Assessment

A student with a disability, as defined in F.S. 1007.02(2), for whom the IEP Team determines that the Statewide standardized assessments cannot accurately measure the student's abilities, taking into consideration all allowable accommodations, shall have assessment results waived for the purpose of receiving a course grade and a standard high school diploma. Such a waiver shall be designated on the student's transcript. The statement of waiver shall be limited to a statement that performance on an assessment was waived for the purpose of receiving a course grade or a standard high school diploma, as applicable.

The alternative assessment program is designed for a student with a significant cognitive disability and includes the Florida Standards Alternate Assessment (FSAA) – Performance Task and the FSAA – datafolio assessments. The decisions of whether a student is eligible to participate in the alternative assessment program and whether the student should participate in the FSAA – Performance Task or FSAA – datafolio assessments is determined by the

student's IEP team and delineated on the student's IEP. Participation in the Florida Alternate Assessment by students with significant cognitive disabilities will be determined by the student's IEP team and delineated on the student's IEP. Such determinations must be in accordance with the criteria set forth in Florida law including, but not limited to, F.A.C. 6A-1.0943 and 6A-1.09430.

C. Extraordinary Exemptions

A student with a disability for whom the IEP team determines is prevented by a circumstance or condition, as those terms are defined in F.S. 1008.212, from physically demonstrating the mastery of skills that have been acquired and are measured by the Statewide standardized assessment, a Statewide standardized end-of-course assessment, or an alternate assessment pursuant to F.S. 1008.22(3)(c) shall be granted an extraordinary exemption from the administration of the assessment. A learning, emotional, behavioral, or significant cognitive disability or the receipt of services through the homebound or hospitalized program is not, in and of itself, an adequate criterion for the granting of an extraordinary exemption.

Once an IEP Team determines that a student with a disability is prevented by a "circumstance" or "condition" as defined in F.S. 1008.212 from physically demonstrating the mastery of skills that have been acquired and are measured by the Statewide standardized assessment, a Statewide standardized end-of-course assessment, or an alternate assessment under F.S. 1008.22(3)(c), the IEP Team, which must include the parent, may submit to the superintendent a written request for an extraordinary exemption from the administration of the assessment pursuant to F.S. 1008.212.

The written request for an extraordinary exemption may be made at any time during the school year but not later than sixty (60) days before the first day of the administration window of the assessment for which the request is made. The request must include the following information:

1. A written description of the student's disabilities, including a specific description of the student's impaired sensory, manual, or speaking skills.
2. Written documentation of the most recent evaluation data.
3. Written documentation, if available, of the most recent administration of Statewide standardized assessments.
4. A written description of the circumstances' or conditions', as defined above, the effect on the student's participation in Statewide standardized assessments.
5. Written evidence that the student has had an opportunity to learn the skills being tested.
6. Written evidence that the student has been provided with appropriate instructional accommodations.
7. Written evidence as to whether the student has had the opportunity to be assessed using the instructional accommodations on the student's IEP which are allowable in the administration of a Statewide standardized assessment.
8. Written evidence of the circumstance or condition as defined above.
9. The name, address, and phone number of the student's parent.

The superintendent will recommend to the Commissioner of Education whether the request should be granted or denied, and the Commissioner will grant or deny the requested exemption within thirty (30) calendar days of receipt of the superintendent's request. A copy of the District's procedural safeguards as required in F.A.C. 6A-6.03311 shall be provided to the parent. If the parent disagrees with the IEP Team's recommendation, the dispute resolution methods described in the procedural safeguards shall be made available to the parent.

D. Exemption Options for Students with a Medical Complexity

In addition to the exemption option available under F.S. 1008.212, a student with a medical complexity as defined in F.S. 1008.22 may be exempt from participating in Statewide standardized assessments, including the Florida Alternate Assessment. If a parent consents in writing and the student's IEP team determines that the student should not be assessed based on medical documentation that confirms that the student meets the criteria of medical complexity, the parent may select from the assessment exemption options set forth in F.S. 1008.22.

If a student who resides in the District and qualifies for a Florida Tax Credit Scholarship attends an eligible private school, pursuant to State law, that has chosen not to administer the Statewide, standardized assessments, the District shall designate, upon the request of the parent, an assessment site where the student can participate in the Statewide, standardized assessment. The parent is responsible for providing transportation to the assessment site.

Test Administration and Security

The ~~District Board~~ may contract with qualified contractors to administer and proctor Statewide standardized assessments or local assessments required under State law. Assessments may be administered or proctored by qualified contractors at sites that meet criteria established by rules of the State Board of Education and adopted pursuant to State law to implement these contracting requirements.

~~The District may use District Board employees, such as education paraprofessionals, licensed, certified instructors, or education services officer test administrators as described in F.S. 1008.213 may to administer and proctor Statewide, standardized assessments or assessments associated with Florida approved course courses under F.S. 1003.499. District employees~~ All test administrators and proctors for the Statewide assessments will be trained according to rules of the State Board of Education before performing such duties.

Board employees who are involved in handling, administering, proctoring or scoring of tests shall not:

- A. reveal, copy or otherwise reproduce tests or individual test questions, except as authorized;
- B. assist examinees in answering test questions by any means;
- C. interfere with examinees' answers;
- D. give answer keys to examinees or any unauthorized person.

Board employees who are involved in administering or proctoring tests, or who teach or otherwise prepare examinees, shall not participate in, direct, aid, or counsel, assist in, or encourage any activity that could result in the inaccurate measurement or reporting of the examinees' achievement.

The Board shall take appropriate and necessary actions against any employee who knowingly and willfully violates test security rules adopted by the FLDOE for any Statewide standardized assessments.

~~The Superintendent shall develop administrative procedures for test security that will maintain and ensure the integrity of District and State assessments.~~

Revised 8/28/18

Revised 2/5/19

Revised 12/13/22

Technical Corrections 12/12/23

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Legal	F.S. 1002.37
	F.S. 1002.395
	F.S. 1003.4282
	F.S. 1008.212
	F.S. 1008.22
	F.S. 1008.23
	F.S. 1008.24
	F.S. 1008.25
	F.A.C. 6A-1.09422
	F.A.C. 6A-1.0943
	F.A.C. 6A-1.09430
	F.A.C. 6A-1.09431

F.A.C. 6A-1.09432

F.A.C. 6A-10.042

Last Modified by Maria Cain on March 14, 2024

Book	Policy Manual
Section	Vol. 24, No.2, Nov. 23 Revised
Title	HOMELESS STUDENTS
Code	*po5111.01 am 1-6-24, MCS 2/12/24 LC 2-20-24
Status	
Adopted	June 13, 2017
Last Revised	April 11, 2023

5111.01 - **HOMELESS STUDENTS Sp. Update Sept. 23 and Vol. 24, No.2, Nov. 2023**

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).

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

Definitions

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

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

F. live in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting.

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

A.

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

Questionnaire(s)

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

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

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

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

Services to Homeless Children and Youth

The District, 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;
 - 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 ~~McKinney-Vento Liaison for Homeless Children~~ and Youth who will perform the duties described in the McKinney-Vento Act, and duties as assigned by the Superintendent, **including those required under F.A.C. 6A-10.088**. 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.

For more information on the role of the Liaison, refer to AP 5111.01.

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

If there is no 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 student should continue his/her education at the school of origin in another district, the District and the school district in which the student's school of origin is located shall agree upon a method to equitably apportion responsibility and costs for transportation to the school of origin.

If there is no agreement, the District shall assume responsibility to transport the 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 of 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 are 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 dominant language is not English, the District will provide translation and interpretation services in connection with all phases of the dispute-resolution process pursuant to Federal laws.

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 preschool 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.

Annual and Other Reporting Requirements

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

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

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Revised 4/11/23

Legal

F.S. 743.067

F.S. 1003.01

F.S. 1003.21

F.S. 1003.22

F.S. 1009.21

F.S. 1009.25

F.A.C. 6A-10.088

42 U.S.C. 11431 et seq.

Last Modified by Maria Cain on March 14, 2024

Book	Policy Manual
Section	Vol. 24, No.2, Nov. 23 Revised
Title	PROMOTION, ACCELERATION, PLACEMENT, AND RETENTION
Code	*po5410.01 am 1-6-24, JM 2-22/2024
Status	
Adopted	June 13, 2017
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5410.01 - PROMOTION, ACCELERATION, PLACEMENT, AND RETENTION Special Up. Sept. 23 and Vol. 24, No.2, Nov. 23

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

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

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

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

Progress Monitoring Plans and Remediation

Each student must participate in the Statewide, standardized assessment program that is required by F.S. 1008.22. Each student who does not achieve a Level 3 or above on Statewide, standardized English language arts assessment; the Statewide, standardized mathematics assessment; or the Algebra I end-of-course (EOC) assessment must be evaluated to determine the nature of the student's difficulty, the areas of academic need, and strategies for providing academic supports to improve the student's performance.

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

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

- A. a Federally required student plan such as an individual education plan;
- B. a schoolwide system of progress monitoring for all students, except a student who scores Level 3 or above on the English language arts and mathematics assessments may be exempted from participation by the principal; or

- C. an individualized progress monitoring plan.

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

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

Substantial Reading Deficiencies/Characteristics of Dyslexia and Parental Notification

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

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

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

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

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

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

- A. that their child has been identified as having a substantial deficiency in reading, including a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in reading;
- B. a description of the current services that are provided to the child;

- C. a description of the proposed intensive interventions and supports that will be provided to the child that are designed to remediate the identified area of reading deficiency;
- D. that if the child's reading deficiency is not remediated by the end of grade 3, the child must be retained unless s/he is exempt from mandatory retention for good cause;
- E. strategies, including multisensory strategies and programming, through a read-at-home plan for parents to use in helping their child succeed in reading;

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

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

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

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

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

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

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

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

A student who has been retained in third grade due to a reading deficiency shall be promoted mid-year if the student has demonstrated mastery of the State-mandated requirements in grade 4 reading.

A student may be eligible for a waiver of retention criteria for acceptable good cause as outlined in the student progression plan.

A student may be retained at the same grade level/course(s) when s/he has not demonstrated satisfactory mastery of the State-mandated requirements in the required subject areas. Parents must be informed in advance of the possibility of retention of a student at a grade level.

Substantial Mathematics Deficiencies/Characteristics of Dyscalculia and Parental Notification

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

- A. immediately following the identification of the mathematics deficiency, be provided systematic and explicit mathematics instruction to address their specific deficiencies through either:
 - 1. daily targeted small group mathematics intervention based on student need; or
 - 2. supplemental, evidence-based mathematics interventions before or after school, or both, delivered by a highly qualified teacher of mathematics or a trained tutor.

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

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

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

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

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

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

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

Middle Grades Promotion

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

- A. Three (3) middle grades or higher courses in English Language Arts (ELA).
- B. Three (3) middle grades or higher courses in mathematics.
 - 1. Each school that includes middle grades must offer at least one (1) high school-level mathematics course for which students may earn high school credit. Successful completion of a high school level Algebra I or Geometry course is not contingent upon the student's performance on the Statewide standardized end-of-course (EOC) assessment.
 - 2. To earn high school credit for Algebra I, a middle grades student must take the Statewide standardized Algebra I EOC assessment and pass the course, and in addition, a student's performance on the Algebra I EOC assessment constitutes thirty percent (30%) of the student's final course grade.
 - 3. To earn high school credit for a Geometry course, a middle grades student must take the Statewide standardized Geometry EOC assessment, which constitutes thirty percent (30%) of the student's final course grade, and earn a passing grade in the course.

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

1. One (1) of these courses must be at least a one (1) semester civics education course that includes the roles and responsibilities of Federal, State, and local governments; the structures and functions of the legislative, executive, and judicial branches of government; and the meaning and significance of historic documents, such as the Articles of Confederation, the Declaration of Independence, and the Constitution of the United States.
2. Each student's performance on the Statewide standardized EOC assessment in civics education required under F.S. 1008.22 constitutes thirty percent (30%) of the student's final course grade.
3. E. One course in career and education planning to be completed in grades 6, 7, or 8, which may be taught by any member of the instructional staff. The course must be Internet-based, customizable to each student, and include research-based assessments to assist students in determining educational and career options and goals. The course must result in a completed personalized academic and career plan for the student, which must use, when available, Florida online career planning and work-based learning coordination system. The course must teach each student how to access and update the plan and encourage the student to access and update the plan at least annually as the student progresses through middle school and high school. The personalized academic and career plan must emphasize the importance of entrepreneurship and employability skills; and must include information from the Department of Economic Opportunity's economic security report under F.S. 445.07 and other State career planning resources.
4. A middle grade student who transfers in from out of country, out of state, a private school, or a home education program after the beginning of the second term of grade 8 is not required to meet the civics education requirement for promotion from the middle grades if the student's transcript documents passage of three (3) courses in social studies or two (2) year-long courses in social studies that include coverage of civics education.

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

1. Successful completion of a high school level Biology I course is not contingent upon the student's performance on the Statewide, standardized EOC assessment required under F.S. 1008.22.
2. However, to earn high school credit for a Biology I course, a middle grade student must take the Statewide, standardized Biology I EOC assessment, which constitutes thirty percent (30%) of the student's final course grade, and earn a passing grade in the course.
- 6.
7. The required personalized academic and career plan must inform students of high school graduation requirements, including a detailed explanation of the following:
 - a. requirements for earning a high school diploma designation under F.S. 1003.4285 and the career and technical education pathway to earn a standard high school diploma under F.S. 1003.4282;
 - b. requirements for each scholarship in the Florida Bright Futures Scholarship Program;
 - c. ~~state~~ State university and Florida college system institution admission requirements;
 - d. available opportunities to earn college credit in high school, including Advanced Placement courses;
 - e. the International Baccalaureate Program;
 - f. the Advanced International Certificate of Education Program;
 - g. dual enrollment, including career dual enrollment;
 - h. work-based learning opportunities, including internships and preapprenticeship and apprenticeship programs; and
 - i. career education courses, including career-themed courses, and course sequences that lead to industry certification pursuant to F.S. 1003.492 or 1008.44.
8. The course may be implemented as a stand-alone course or integrated into another course or courses.

Notification of Acceleration, Academic, and Career Planning Options

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

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

Retention of Students with Disabilities

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

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Legal	F.S. 1002.3105
	F.S. 1003.02
	F.S. 1003.4156
	F.S. 1008.22
	F.S. 1008.25
	F.A.C. 6A-1.09422
	F.A.C. 6A-1.094221
	F.A.C. 6A-1.094222
	F.A.C. 6A-6.0533

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Book	Policy Manual
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Last Revised	December 12, 2023

5410 - **STUDENT PROGRESSION**

Pursuant to F.S. 1008.25, the School Board shall adopt a student progression plan which will provide for a student's progression from one (1) grade to another based on the student's mastery of the standards in F.S. 1003.41, specifically English language arts, mathematics, science, and social studies. The plan must, at a minimum:

- A. include criteria that emphasizes student reading proficiency in kindergarten through grade 3 and provide targeted instructional support for students with identified deficiencies in English language arts, mathematics, science, and social studies;

High schools shall use all available assessment results, including the results of Statewide standardized English language arts assessments and end-of-course assessments for Algebra I and Geometry to advise students of any identified deficiencies and to provide appropriate postsecondary preparatory instruction before high school graduation. The results of evaluations used to monitor a student's progress in grades K-12 must be provided to the student's teacher in a timely manner and as otherwise required by Florida law. Thereafter, evaluation results must be provided to the student's parent in a timely manner. When available, instructional personnel must be provided with information on student achievement of standards and benchmarks in order to improve instruction.

Beginning in the 2022-2023 school year, the end-of-year comprehensive progress monitoring assessment administered pursuant to F.S. 1008.25. is the Statewide standardized English language arts assessment for students in grades 3 through 10 and the Statewide standardized Mathematics assessments for students in grades 3 through 8.

- B. list the student eligibility and procedural requirements established by the School District for whole-grade promotion, midyear promotion, and subject-matter acceleration that would result in a student attending a different school;

notify parents and students of the District's process by which a parent may request student participation in whole-grade promotion, midyear promotion, or subject-matter acceleration that would result in a student attending a different school;

- C. advise parents and students that additional Academically Challenging Curriculum to Enhance Learning (ACCEL) options that may be available at the student's school;

1. advise parents and students to contact the principal at the student's school for information related to student eligibility requirements for whole-grade promotion, midyear promotion, and subject-matter acceleration when the promotion or acceleration occurs within the principal's school; virtual instruction in higher grade level subjects; and any other ACCEL options offered at the school;

2. advise parents and students to contact the principal at the student's school for information related to the school's process by which a parent may request student participation in whole-grade promotion, midyear promotion, and subject-matter acceleration when the promotion or acceleration occurs within the principal's school; virtual instruction in higher grade level subjects; and any other ACCEL options offered at the school;
- D. advise parents and students of the early graduation options pursuant to State law and Policy 5464 - Accelerated Graduation Options;
 - E. list, or incorporate by reference, all dual enrollment courses contained within the dual enrollment articulation agreement(s) established pursuant to State law;
 - F. provide instructional sequences by which students in kindergarten through high school may attain progressively higher levels of skill in the use of digital tools and applications. The instructional sequences must include participation in curricular and instructional options and the demonstration of competence of standards required pursuant to State law through attainment of industry certifications and other means of demonstrating credit requirements identified under State law; and,
 - G. allow the parent of a student with disabilities who is enrolled in prekindergarten at the age of 4 and is fully funded through the Florida Education Finance Program to retain their child in consultation with the student's Individual Education Plan team.

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 Revised 12/13/22
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Determining a Substantial Math Deficiency, F.A.C. 6A-6.0533

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Legal

[F.S. 1002.3105](#)

[F.S. 1003.41](#)

[F.S. 1003.4156](#)

[F.S. 1003.4203](#)

[F.S. 1003.428](#)

[F.S. 1003.4281](#)

[F.S. 1003.4282](#)

[F.S. 1007.271](#)

[F.S. 1008.25](#)

[Student Performance Standards, F.A.C. 6A-1.09401](#)

[Florida Comprehensive Assessment Test and End-of-Course Assessment Requirements, F.A.C. 6A-1.09422](#)

[Alternative Standardized Reading Assessment and Use of Student Portfolio for Good Cause Promotion, F.A.C. 6A-1.094221](#)

[Standards for Mid-Year Promotion of Retained Third Graders, F.A.C. 6A-1.094222](#)

Determining a Substantial Math Deficiency, F.A.C. 6A-6.0533

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Title	REPORTING STUDENT PROGRESS
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5420 - **REPORTING STUDENT PROGRESS**

The School Board believes that the cooperation of school and home is a vital ingredient to the growth and education of the whole child. It recognizes its responsibility to keep parents informed of student welfare and progress in school.

The Board directs the establishment of a system of reporting student progress which shall include written reports, parent conferences with teachers, and shall require all appropriate staff members to comply with such a system as part of their professional responsibility.

The Superintendent, in conjunction with appropriate staff members, shall develop procedures for reporting student progress to parents which:

- A. require that both student and parent receive ample warning of a pending grade of "failure" or one that would adversely affect the student's status;
- B. enable the scheduling of parent-teacher conferences at such times and in such places as will ensure the greatest degree of participation by parents;
- C. specify the issuance of report cards at intervals of not more than every nine (9) weeks;
- D. require a continual review and improvement of methods of reporting student progress to parents.

Annual Report to Parents Regarding Student Progress

The Board will annually provide a report to the parent of each student identifying the progress of the student toward achieving State and District expectations for proficiency in English language arts, science, social studies, and mathematics. Parents will also be provided a report identifying student results on each Statewide, standardized assessment and the coordinated screening and progress monitoring system under F.S. 1008.25. Progress reporting will be provided to parents in a written, easy-to-comprehend individual student report in a language that parents can understand. This information will also be accessible through secure, web-based options, as part of the District's student information system. An individual student report will be provided in a printed format if requested by a parent. The report must also include parent resources that explain the purpose of progress monitoring, assist the parent in interpreting progress monitoring results, and support informed parent involvement. Parent resources may include personalized video formats.

Parents will also be notified of reading **or mathematics** deficiency issues as required by F.S. 1008.25, if applicable.

This report to parents may be included with the student report cards at the end of the year, if all students receive report cards. Additionally, to facilitate timely interventions and supports pursuant to F.S. 1008.25 (4), the District must provide results from the first two (2) administrations of the progress monitoring system to a student's parent within two (2) weeks

of the administration.

The results from the comprehensive, end-of-year progress monitoring ELA assessment for grades 3 through 10 and Mathematics assessment for grades 3 through 8 must be delivered to a student's parent within one (1) week after receiving the results from the FLDOE.

The Board will annually publish on the official District website the following information on the prior school year:

- A. The provisions of F.S. 1008.25 relating to public school student progression and the Board's policies and procedures on student retention and promotion.
- B. By grade, the number and percentage of all students in grades 3 through 10 performing at Levels 1 and 2 on the Statewide, standardized English language arts assessment.
- C. By grade, the number and percentage of all students retained in kindergarten through grade 10.
- D. Information on the total number of students who were promoted for good cause, by each category of good cause as specified in F.S. 1008.25.
- E. Any revisions to the Board's policies and procedures on student retention and promotion from the prior year.

Report Cards

Report cards issued by the District will contain, in addition to other information, the following:

- A. The student's academic performance in each class or course, which in grades 1 through 12 must be based upon examinations as well as written papers, class participation, and other academic performance criteria, and must include the student's performance or nonperformance at his/her grade level.
- B. The student's conduct and behavior.
- C. The student's attendance, including absences and tardiness.

A student's final report card for a school year shall contain a statement indicating end-of-the-year status regarding performance or nonperformance at grade level, acceptable or unacceptable behavior and attendance, and promotion or nonpromotion.

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 F.S. 1001.42
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 F.S. 1008.25

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5460 - **GRADUATION REQUIREMENTS**

It shall be the policy of the School Board to acknowledge each student's successful completion of the instructional program appropriate to the achievement of District goals and objectives as well as personal proficiency by the awarding of a diploma at a fitting graduation ceremony.

Standards for Graduation

For students entering grade 9 before the 2023-2024 school year.

Receipt of a standard high school diploma requires successful completion of twenty-four (24) or eighteen (18) ACCEL credit options, an International Baccalaureate curriculum, an Advanced International Certificate of Education completion, or the Career and Technical Education (CTE) pathway.

The required credits may be earned through equivalent, applied, or integrated courses or career education courses, excluding work-related internships approved by the State Board of Education and identified in the course code directory. Any must-pass assessment requirement must be met.

Credit Distribution

Subject	24 Credits	18 Credits
English Language Arts	4	4
Mathematics	4	4
Science	3	3
Social Studies	3	3
Performing Arts, Speech & Debate or career and technical education	1	1
Physical Education	1	N/A
Electives	8	3

A financial literacy course consisting of at least one-half (1/2) credit as an elective shall be offered.

Beginning with the 2023-24 school year, high school students enrolled in the U.S. Government classes required by F.S. 1003.4282 must receive at least forty-five (45) minutes of instruction on "Victims of Communism Day" to include topics such as Mao Zedong and the Cultural Revolution, Joseph Stalin and the Soviet System, Fidel Castro and the Cuban

Revolution, Vladimir Lenin and the Russian Revolution, Pol Pot and the Khmer Rouge, and Nicolás Maduro and the Chavismo movement, and how victims suffered under these regimes through poverty, starvation, migration, systemic lethal violence, and suppression of speech.

Beginning in the 2023-2024 school year, middle school and high school students enrolled in the civics education class required by F.S. 1003.4156 or the United States Government class required by F.S. 1003.4282(3) must receive at least forty (45) minutes of instruction on "9/11 Heroes' Day" topics involving the history and significance of September 11, 2001, including remembering the sacrifice of military personnel, government employees, civilians, and emergency responders who were killed, wounded, or suffered sickness due to the terrorist attacks on or after that date, including, but not limited to:

- A. the historical context of global terrorism.
- B. a timeline of events on September 11, 2001, including the attacks on the World Trade Center, the Pentagon, and United Airlines Flight 93.
- C. the selfless heroism of police officers, firefighters, paramedics, other first responders, and civilians involved in the rescue and recovery of victims and the heroic actions taken by the passengers of United Airlines Flight 93.
- D. the unprecedented outpouring of humanitarian, charitable, and volunteer aid occurring after the events of September 11, 2001.
- E. the global response to terrorism and importance of respecting civil liberties while ensuring safety and security.

Receipt of a standard high school diploma requires successful completion of twenty-four (24) credits, an International Baccalaureate curriculum, an Advanced International Certificate of Education completion, or the Career and Technical Education (CTE) pathway.

The twenty-four (24) credits shall be distributed as follows:

Subject	Credits
English Language Arts	4
Social Studies	3
Mathematics	4
Science	3
Fine or performing arts, speech and debate, or career and technical education	1
Electives	7.5
Basic Physical education	1
Personal Financial Literacy and Money Management	.5

Basic training in first aid, including at least one (1) hour of cardiopulmonary resuscitation (CPR) instruction, shall be provided for students in grades 9 and 11.

High school students will be provided opportunities to take "computer science" courses and earn technology-related industry certifications to satisfy high school graduation requirements. Computer science courses and technology-related industry certifications that are identified as eligible for meeting mathematics or science requirements for high school graduation will be included in the Course Code Directory.

The required credits may be earned through equivalent, applied, or integrated courses or career education courses as defined in F.S. 1003.01(4), including work-related internships approved by the State Board of Education and identified in the course code directory. However, any must-pass assessment requirements must be met.

An equivalent course is one (1) or more courses identified by content-area experts as being a match to the core curricular content of another course, based upon a review of the State academic standards and includes real-world applications of a career and technical education standard used in business or industry. An integrated course includes content from several courses within a content area or across content areas.

The earning and awarding of high school credits will be in accordance with Florida law including, but not necessarily limited to, the provisions of F.S. 1003.4282 and those identified in the Student Progression Plan.

For courses that require Statewide standardized end-of-course assessments, a minimum of thirty percent (30%) of a student's course grade shall be comprised of performance on the Statewide standardized end-of-course assessment.

In order to graduate, students must earn passing scores on the Florida State Assessment (State-mandated testing) or scores on a standardized test that are concordant with passing scores on the State-mandated testing. Additionally, a student must earn a cumulative GPA of 2.0 on a 4.0 scale.

High School Diploma

The Board shall award a standard high school diploma to every student enrolled in this District who meets the requirements of graduation established by this Board or who properly completes the goals and objectives specified in his/her IEP including either the exemption from or the requirement to complete the State-mandated tests and the recommendation of the IEP Team.

Students may earn one (1) or more designations on their standard diploma pursuant to F.S. 1003.4285.

Each student's standard high school diploma will include, as applicable, the following designations, if the student meets the criteria:

A. Scholar Designation

In order to earn the Scholar Designation, the student must, in addition to the requirements for a standard high school diploma, satisfy the following:

1. English Language Arts (ELA) - When the State transitions to common core assessments, pass the 11th grade ELA common core assessment.
2. Mathematics - Earn one (1) credit in Algebra II or an equally rigorous course and one (1) credit in statistics or an equally rigorous course. When the State transitions to common core assessments, students must pass the Geometry common core assessment.
3. Science - Pass the Statewide standardized Biology I end-of-course assessment and earn one (1) credit in chemistry or physics and one (1) credit in a course equally rigorous to chemistry or physics.
4. Social Studies - Pass the Statewide standardized United States History end-of-course assessment.
5. Foreign Language - Earn two (2) credits in the same foreign language.
6. Electives - Earn at least one (1) credit in an Advanced Placement, an International Baccalaureate, an Advanced International Certificate of Education, or a dual enrollment course.

B. Industry Scholar Designation

In order to earn the Industry Scholar Designation, a student must, in addition to the requirements for a standard high school diploma, attain one (1) or more industry certifications on the Florida Department of Education's current "Industry Certification Funding List".

Students and parents shall be provided information about diploma designations through an online education and career planning tool, which allows students to monitor their progress toward the attainment of each designation.

Honorary Diploma

An honorary diploma may be awarded in the case of such unfortunate circumstances as the severe disability or death of a student prior to graduation. The student must have been a senior in good standing to meet the requirements of graduation established by the Board at the time of the disability/death.

Early Admission Program

High school graduation by means of the Early Admission to College Program is an alternative for the college-bound student during the normal senior year in high school. When the prescribed District conditions as set forth in the student handbook have been met, the student shall be awarded a high school diploma with the regular high school graduating class. The official college transcript shall be made a part of the student's high school permanent record file.

When students leave high school as Early Admission to College Program students, they may participate in graduation exercises with their graduation class and may be ranked in the class pursuant to Policy 5430.

Early High School Graduation

For the purposes of this policy, the term "early graduation" means graduation from high school in less than eight (8) semesters or the equivalent by completion of the required number of credits.

For a student who enters grade 9 before the 2023-2024 school year

A student who meets the requirements of F.S. 1003.4282(3)(a)-(e), earns three (3) credits in electives (a total of eighteen (18) credits), and earns a cumulative grade point average (GPA) of 2.0 on a 4.0 scale shall be awarded a standard high school diploma.

For a student who enters grade 9 in the 2023-2024 school year and thereafter

A student who meets the requirements of F.S. 1003.4282(3)(a)-(e), earns two and one-half (2.5) credits in electives and one-half (.5) credit in financial literacy and money management (a total of eighteen (18) credits), and earns a cumulative grade point average (GPA) of 2.0 on a 4.0 scale shall be awarded a standard high school diploma.

A student also has the option of early graduation if the student has completed a minimum of twenty-four (24) credits and otherwise meets the requirements for graduation.

Academically Challenging Curriculum to Enhance Learning (ACCEL)

The following ACCEL options are available: whole-grade and midyear promotion; subject-matter acceleration; virtual instruction in higher grade-level subjects; and the Credit Acceleration Program described below. Additional options may be available.

Students shall be advised of courses through which they can earn college credit, including Advanced Placement, International Baccalaureate, Advanced Certificate of Education, dual enrollment, and early admission courses, and career academy courses, and courses that lead to industry certification, as well as the availability of course offerings through virtual instruction.

Credit Acceleration Program (CAP)

High school credit in courses required for high school graduation may be earned through the passage of an end-of-course assessment administrated under F.S. 1008.22, an advanced placement examination, or a College Level Examination Program (CLEP). Course credit shall be awarded to a student who is not enrolled in the course, or who has not completed the course if the student attains a passing score on the corresponding end-of-course assessment, advanced placement examination, or CLEP. Public school or home education students in the District shall take the assessment or examination during the regular administration of the assessment or examination.

The District shall notify the parent of a student who is eligible to graduate early.

A student who graduates early may continue to participate in school activities and social events and to attend and participate in graduation events with the student's cohort. The student will be included in the class ranking, honors, and award determinations for the student's cohort. The student must comply with Board rules and policies regarding access to the school facilities and grounds during normal operating hours.

Career and Technical Education Graduation Pathway Option

A student is eligible to complete an alternative pathway to earning a standard high school diploma through the CTE pathway option. Receipt of a standard high school diploma awarded through the CTE pathway option requires the student's successful completion of at least eighteen (18) credits. A student completing the CTE pathway option must earn at least a cumulative grade point average (GPA) of 2.0 on a 4.0 scale. In order for a student to satisfy the requirements of the CTE pathway option, s/he must meet the GPA requirement and:

For a student who enters grade 9 before the 2023-2024 school year

- A. meet the requirements as set forth in F.S. 1003.4282;
- B. complete two (2) credits in career and technical education; and

The courses must result in a program completion and an industry certification.

- C. complete two (2) credits in work-based learning programs. A student may substitute up to two (2) credits of electives, including one-half (1/2) credit in financial literacy, for work-based learning program courses to fulfill this

requirement.

For a student who enters grade 9 in the 2023-2024 school year and thereafter

A. meet the requirements as set forth in F.S. 1003.4282;

B. complete two (2) credits in career and technical education; and

The courses must result in a program completion and an industry certification.

C. complete one and one-half (1.5) credits in work-based learning programs.

The CTE pathway option to graduation will be incorporated into the District's Student Progression Plan.

High School Equivalency Diploma

The Board shall offer the high school equivalency diploma examination and the subject area examinations to all candidates pursuant to the rules of the State Board of Education. To be eligible to be a candidate for a high school equivalency diploma, a student must be at least eighteen (18) years of age on the date of the examination. However, in extraordinary circumstances and if the student resides or attends school in the District, the student may take the examination after reaching the age of sixteen (16) and receiving an underage waiver application approval in accordance with Policy 5465 - General Education Development (GED) Tests. All high school equivalency diplomas have equal status with other high school diplomas. A student may be awarded a standard high school diploma pursuant to the Florida Department of Education rules.

Certificate of Completion

A student who completes the minimum number of credits and other requirements for graduation but cannot earn a passing score on the State mandated testing, achieve a cumulative grade point average of 2.0 on a 4.0 scale or its equivalent, or complete all other applicable requirements prescribed by the Board pursuant to Florida statutes shall be awarded a certificate of completion in a form prescribed by the State Board of Education.

A student who is entitled to a certificate may elect to remain as a full-time student or a part-time student for up to one (1) additional year and receive special instruction designed to remedy the student's identified deficiencies.

Notice to Students and Parents

The District will notify students and parents, in writing, of the requirements for a standard high school diploma, available designations, and the eligibility requirements for State scholarship programs and postsecondary admissions.

Commencement Exercises

Commencement exercises will include only those students who have successfully completed requirements for a standard high school diploma, Early Admission to College Program, a special diploma, or a certificate of completion for graduation as certified by the high school principal. No student who has completed the requirements for graduation shall be denied a diploma as a disciplinary measure. A student may be denied participation in the ceremony of graduation when personal conduct or outstanding financial obligation so warrants.

Students are permitted to lawfully wear dress uniforms of any of the Armed Forces of the United States or of the State at their graduation ceremony.

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F.S. 1003.437
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5465 - **GENERAL EDUCATION DEVELOPMENT (GED) TESTS**

A student may be awarded a State of Florida High School Equivalency Diploma based on successful testing.

A candidate who is at least eighteen (18) years of age or older and not enrolled in a regular day school is eligible to take the GED test. The applicant must complete the online GED registration process (<http://www.ged.com>).

Candidates who fail to attain the minimum passing scores on their initial GED testing may retake the test at any succeeding testing interval upon payment of the specified fee for each individual sub-test to be taken. A candidate may take the GED test a total of three (3) times per calendar year.

Underage Waiver

~~An individual~~ A student who is sixteen (16) or seventeen (17) years of age may be permitted to take the General Education Development (GED) test if approved by the School District. Applicants must complete the District GED Underage Waiver Application and submit it along with all required documentation to the Superintendent for consideration. Applicants are required to demonstrate that extraordinary circumstances exist in order to allow them to take the GED test prior to attaining the age of eighteen (18).

Extraordinary circumstances include the following:

- A. the candidate justifies a need to be employed which would prevent school attendance (documentation demonstrating that the candidate is employed must be provided);
- B. the candidate is a parent who does not have access to child care;
- C. the candidate ~~justifies~~ has a health condition(s) which would prevent school attendance; or
- D. the candidate is incarcerated or adjudicated.

A student who has reached the age of sixteen (16) is not required to take any course before taking the GED examination unless the student fails to achieve a passing score on the GED practice test as established by the State Board of Education.

If the Superintendent approves the applicant's District GED Underage Waiver Application, the applicant must complete the GED registration process through the GED official website (<http://www.ged.com>). Failure of the applicant to complete the GED registration process will delay the District's ability to submit required documentation to the Florida Department of Education.

Appeal of Denial of Underage Waiver Application

An applicant may appeal a denial of the Underage Waiver Application by submitting a written appeal to the School Board's GED office, explaining why the applicant believes the application should have been approved. An appeal must be filed within thirty (30) days after receipt of the denial. The issue for the appeal is whether extraordinary circumstances, as defined above, are present. The GED Coordinator will inform the applicant of the result of the appeal.

GED Coordinator

The Board's GED Coordinator may be contacted for questions about the underage waiver process, approval, and denial.

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5780 - **STUDENT/PARENT RIGHTS**

The School Board recognizes that students possess not only the right to an education but the rights of citizenship as well. Federal and State law prohibits the Board from adopting any policy or rule, or from entering into any agreement, that infringes upon or waives the rights of freedoms afforded to students by the United States Constitution.

In providing students the opportunity for an education to which they are entitled, the District shall attempt to offer nurture, counsel, and custodial care appropriate to their age and maturity. The District shall, at the same time, guarantee that no student is deprived of the basic right to equal treatment and equal access to the educational program, due process, a presumption of innocence, free expression and association, and the privacy of his/her own thoughts.

Attendant to the rights guaranteed to each student, however, are certain responsibilities, which include respect for the rights of others, obedience to properly constituted school authority, and compliance with the procedures and rules of the District.

The Board realizes that as students differ in age and maturity, so they differ in ability to handle both the rights of citizens and the concomitant responsibilities. The exercise of each right shall be granted, therefore, with due regard for the degree of responsibility possessed by the student and the student's need for the continuing guidance and control of those responsible for his/her education.

Since a student who has reached the age of majority possesses the full rights of an adult, they may authorize those school matters previously handled by their parents, but the student also assumes the responsibility for their performance in school, attendance, and compliance with school rules.

All K-12 students in Florida are entitled to a uniform, safe, secure, efficient, and high-quality system of education, one that allows students the opportunity to obtain a high-quality education. Parents are responsible to ready their children for school; however, neither the State of Florida nor the District can be a guarantor of any individual student's success.

Parental Access at School

Each parent has the right to pick-up, visit, and meet with their student at school, without the interference of or the need for consent from the other parent, unless the school has received a certified copy of an enforceable court order that provides to the contrary. The Principal may restrict the times, location, frequency, and length of parent visitations at school, based on legitimate pedagogical or scheduling reasons. The District will abide by enforceable 'no contact orders' which have been provided to the school.

Educational Decisions

Both natural parents have an equal right to make decisions about the education and welfare of their student, unless an enforceable court order provides otherwise. Schools will attempt to follow the language of an enforceable court order that specifies that one of the parents or someone else, has the sole or ultimate right to make educational and/or general welfare decisions for the student. If parent directives conflict with each other regarding an educational decision about the student not addressed by court order, the school will defer to the enrolling parent's authority, unless emergent circumstances affecting the health, safety, or welfare of the student require the school to act based on what it considers to be in the best interests of the child.

Attendance

A. Termination of Enrollment

A student who attains the age of sixteen (16) years during the school year has the right to file a formal declaration of intent to terminate school enrollment if the declaration is signed by the parent. The parent has the right to be notified by the District of its receipt of the student's declaration of intent to terminate school enrollment. (see also Policy 5130 - *Withdrawal from School*)

B. Married or Pregnant

Students who become or have become married or who are pregnant and parenting have the right to attend school and receive the same or equivalent educational instruction as other students. (see also Policy 5751 - *Parental Married Status of Students*)

C. Compulsory Attendance

Parents of students who have attained the age of six (6) years by February 1st of any school year but who have not attained the age of sixteen (16) years must comply with the compulsory school attendance laws. Parents have the option to comply with the school attendance laws by the attendance of the student in a public school; a parochial, religious, or denominational school; a private school; a home education program; or a private tutoring program. (see also Policy 5112 - *Entrance Requirements* and Policy 5200 - *Attendance*)

D. Absence for Religious Purposes

A parent of a student may request and be granted permission for the absence of the student from school for religious instruction or religious holidays. (see also Policy 5223 - *Absences for Religious Instruction* and Policy 5225 - *Absences for Religious Holidays*)

E. Dropout Prevention and Academic Intervention Programs

The parent of a student has the right to receive written notice by certified mail **at least five (5) days before a student is initially enrolled in, or at least five (5) days before a student initially receives services under prior to placement of the student in** a dropout prevention and academic intervention program. The parent will be notified in writing and entitled to an administrative review of any action by school personnel relating to the student's placement. **Thereafter, the parent must be notified annually. The notification must be in the parent's primary language or other mode of communication commonly used by the parent unless clearly not feasible pursuant to F.A.C. 6A-6.0908.**

F. Absence for Treatment of Autism Spectrum Disorder

A parent of a student may request and be granted permission for absence of the student from school for an appointment scheduled to receive a therapy service provided by a licensed health care practitioner or behavior analyst certified pursuant to Florida law for the treatment of autism spectrum disorder including, but not limited to, applied behavioral analysis, speech therapy, and occupational therapy.

Health Issues

A. Notice of Health Care Services

At the beginning of the school year, the District will provide notice to parents of all health care services offered at their student's school and of the option to withhold consent to or decline any specific service. Before administering a student well-being questionnaire or health screening form to a student in kindergarten through grade 3, the District will provide the questionnaire or form to the parent and obtain the permission of the parent.

B. School-Entry Health Examinations

The parent of any student shall be exempt from the requirement of a health examination upon written request stating objections on religious grounds. (see also Policy 5112 - *Entrance Requirements*)

C. Immunizations

The parent of any student shall be exempt from the school immunization requirements upon meeting any of the specified exemptions. (see also Policy 5320 - *Immunizations* and Policy 5112 - *Entrance Requirements*)

D. Biological Experiments

Parents may request that their child be excused from performing dissection in biological science classes. Alternate assignments will be given to students who do not participate in the dissection activities.

E. Reproductive Health and Disease Education

A public school student whose parent makes written request to the school Principal shall be exempted from the teaching of reproductive health or any disease, including HIV/AIDS. (see also Policy 2417 - *Comprehensive Health Education*)

F. Contraceptive Services to Students

Students may not be referred to or offered contraceptive services at school facilities without the parent's consent.

G. Career Education Courses Involving Hazardous Substances

High school students must be given plano safety glasses or devices in career education courses involving the use of hazardous substances likely to cause eye injury.

H. Substance Abuse Reports

The parent of a student must be timely notified of any verified report of a substance abuse violation by the student.

I. Inhaler Use

Asthmatic students may carry a metered dose inhaler on their person while in school, participating in school-sponsored activities, or in transit to or from school or school-sponsored activities if the school has been provided with written parental and physician authorization. The parent or guardian must provide the District with a written authority and contract to carry that are both signed and dated by the student (if applicable), parent or guardian, and the physician. The written approval by the physician must include:

1. name of the medication in the metered dose inhaler;
2. the prescribed dosage;
3. the times or the special circumstances under which the medication is to be administered; and
4. any other special related information regarding the administration of the metered dose inhaler.

(see also Policy 5330.01 - *Self-Administered Medication and Epinephrine Use*)

J. Epinephrine Use and Supply

A student who has experienced or is at risk for life-threatening allergic reactions may carry an epinephrine auto-injector and self-administer epinephrine by auto-injector while in school, participating in school-sponsored activities, or in transit to or from school or school-sponsored activities if the school has been provided with written parental and physician authorization. The parent or guardian must provide the District with a written authorization and contract to carry that are both signed and dated by the student (if applicable), parent or guardian, and the physician. The written approval by the physician must include:

1. the times or the special circumstances under which the medication is to be administered; and
2. any other special related information regarding the administration of the epinephrine auto-injected.

The School District shall be indemnified by the parent of a student who is authorized to carry an epinephrine auto-injector for any and all liability with respect to the student's use of an epinephrine auto-injector pursuant to this policy.

The District and its employees and agents, including the physician who provides the standing protocol for school epinephrine auto-injectors, are not liable for any injury arising from the use of an epinephrine auto-injector administered by trained school personnel who follow the adopted protocol and whose professional opinion is that the student is having an anaphylactic reaction:

1. unless the trained school personnel's action is willful and wanton;
2. notwithstanding that the parents or guardians of the student to whom the epinephrine is administered have not been provided notice or have not signed a statement acknowledging that the School District is not liable; and
3. regardless of whether authorization has been given by the student's parents or guardians or by the student's physician, physician's assistant, or advanced registered nurse practitioner.

(see also Policy 5330.01 - *Self-Administered Medication and Epinephrine Use*)

K. Diabetes Management

The District may not assign a student who has diabetes to a particular school on the basis that the student has diabetes, that the school does not have a full-time school nurse, or that the school does not have trained diabetes personnel.

Diabetic students whose parent and physician provide their written authorization to the school Principal may carry diabetic supplies and equipment on their person and attend to the management and care of their diabetes while in school, participating in school-sponsored activities, or in transit to or from school or school-sponsored activities, to the extent authorized by the parent and physician and within the parameters set forth by State Board of Education rule. The written authorization shall identify the diabetic supplies and equipment that the student is authorized to carry and shall describe the activities the child is capable of performing without assistance, such as performing blood-glucose level checks and urine ketone testing, administering insulin through the insulin-delivery system used by the student, and treating hypoglycemia and hyperglycemia.

The District and its employees and volunteers shall be indemnified by the parent of a student who is authorized to carry diabetic supplies or equipment for any and all liability with respect to the student's use of such supplies and equipment pursuant to this policy.

(see also Policy 5330.01 - *Self-Administered Medication and Epinephrine Use*)

L. Use of Prescribed Pancreatic Enzyme Supplements

A student who has experienced or is at risk for pancreatic insufficiency or who has been diagnosed as having cystic fibrosis may carry and self-administer a prescribed pancreatic enzyme supplement while in school, participating in school-sponsored activities, or in transit to or from school or school-sponsored activities, IF the school has been provided a written authorization and contract to carry that are both signed and dated by the student (if applicable), parent or guardian, and physician, and provide the prescription label containing the following:

1. name of the medication;
2. the prescribed dosage;
3. the times or the special circumstances under which the medication is to be administered; and
4. any other special related information regarding the administration of the medication.

The District and its employees and volunteers shall be indemnified by the parent of a student who is authorized to use prescribed pancreatic enzyme supplements for any and all liability with respect to the student's use of the supplements under this policy.

(see also Policy 5330.01 - *Self-Administered Medication and Epinephrine Use*)

M. Involuntary Examinations of Students

Before a Principal contacts a law enforcement officer for possible removal of a student from school for involuntary examination, the Principal must verify that the school has used de-escalation strategies and initiated outreach to a mobile response team, unless the Principal reasonably believes that any delay in removing the student will increase the likelihood of harm to the student or others.

The Principal shall make a reasonable attempt to notify a parent of a student before the student is removed from school, school transportation, or a school-sponsored activity to be taken to a receiving facility for an involuntary examination pursuant to F.S. 394.463. Reasonable attempt to notify means the exercise of reasonable diligence and care by the Principal to make contact with the student's parent, guardian, or other known emergency contact whom the student's parent or guardian has authorized to receive notification of an involuntary examination. At a minimum, the Principal must take the following actions:

1. Use available methods of communication to contact the student's parent, guardian, or other known emergency contact including, but not limited to, telephone calls, text messages, e-mails, and voicemail messages following the decision to initiate an involuntary examination of the student;
2. Document the method and number of attempts made to contact the student's parent, guardian, or other known emergency contact, and the outcome of each attempt.

The Principal who successfully notifies any other known emergency contact may share only the information necessary to alert such contact that the parent or caregiver must be contacted. All such information must be in compliance with Federal and State law.

The Principal or the principal's designee may delay the required notification for no more than twenty-four (24) hours after a student is removed if:

1. the Principal or principal's designee deems the delay to be in the student's best interest and if a report has been submitted to the central abuse hotline, pursuant to F.S. 39.201, based upon knowledge or suspicion of abuse, abandonment, or neglect. (see also Policy 2410 - *School Health Services*); or
2. the Principal reasonably believes that such delay is necessary to avoid jeopardizing the health and safety of the student.

(see also Policy 2410 - *School Health Services*)

N. Sun-protective Measures in School

A student may possess and use a topical sunscreen product while on school property or at a school-sponsored event or activity without a physician's note or prescription if the product is regulated by the United States Food and Drug Administration for over-the-counter use to limit ultraviolet light-induced skin damage. It will be the responsibility of the student to apply the sunscreen and not the responsibility of school staff.

O. Naloxone Use and Supply

Schools shall purchase a supply of the opioid antagonist naloxone from a wholesale distributor as defined in F.S. 499.003 or may enter into an arrangement with a wholesale distributor or manufacturer as defined in F.S. 499.003 for naloxone at fair-market, free, or reduced prices for use in the event that a student has an opioid overdose. The naloxone must be maintained in a secure location on the school's premises.

Discipline

A. Suspension

A student may be suspended only as provided by the policy of the District. A good faith effort must be made to immediately inform the parent by telephone of the student's suspension and the reason. Each suspension and the reason must be reported in writing within twenty-four (24) hours to the parent by United States mail. A good faith effort must be made to use parental assistance before suspension unless the situation requires immediate suspension. (see also Policy 5610 - *Removal, Suspension, and Expulsion of Students*)

A student with a disability may only be recommended for suspension or expulsion in accordance with the State Board of Education rules.

B. Expulsion

Public school students and their parents have the right to written notice of a recommendation of expulsion, including the charges against the student and a statement of the right of the student to due process. (see also Policy 5610 - *Removal, Suspension, and Expulsion of Students*)

Safety

Students who have been victims of certain felony offenses by other students, as well as the siblings of the student victims, have the right to be kept separated from the student offender, both at school and during school transportation.

Educational Choice

A. Public School Choices

Parents may seek whatever public school options are applicable and available to students in the School District.

These options may include:

1. controlled open enrollment
2. virtual instruction programs
3. charter schools
4. magnet schools
5. special programs
6. advanced placement
7. dual enrollment
8. International Baccalaureate
9. CAPE digital tools
10. CAPE industry certifications
11. early college high school programs
12. Advanced International Certificate of Education
13. credit by examination or demonstration of competency
14. the Florida Virtual School

Options also include the public educational choice options of the Hope Scholarship Program (see Policy 2371 - *Hope Scholarships*), the Opportunity Scholarship Program and the McKay Scholarships for Students with Disabilities Program, the Family Empowerment Scholarship Program, and the Florida Tax Credit Scholarship Program. (see also Policy 2370 - *Educational Options*, Policy 2370.01 - *Virtual Instruction*, and Policy 5113 - *School Choice Options Provided by the No Child Left Behind Act*)

B. Private Educational Choices

Parents may seek private educational choice options under certain programs established under F.S. Chapter 1002.

C. Home Education

The parent may choose to place the student in a home education program, in accordance with State law. (see also Policy 9270 - *Home-Education Programs*)

D. Private Tutoring

The parent of a student may choose to place the student in a private tutoring program in accordance with State law.

E. Reading Scholarships

The parent of a student in kindergarten through grade 5 who has a substantial reading deficiency identified under F.S. 1008.25(5)(a) or scored below a Level 3 on the third or fourth grade Statewide, standardized English Language Arts (ELA) assessment in the prior school year may seek a reading scholarship in accordance with State law.

By September 30th of each year, the District will notify the parent of each student in kindergarten through grade 5 who has a substantial reading deficiency identified under F.S. 1008.25(5)(a) or scored below a Level 3 on the Statewide, standardized ELA assessment in the prior school year of the process to request and receive a reading scholarship, subject to available funds.

F. Request to Transfer to Different Classroom Teacher

Although parents do not have a right to choose a specific classroom teacher, parents may request that their child be transferred to a different classroom teacher. As part of the request, the parent must state with specificity the grounds supporting the request. Requests must be in writing and must be provided to the Principal.

All requests for a student to be transferred to another classroom teacher shall be considered by the Principal or his/her designee. Within two (2) weeks of receiving a completed written request, the Principal or his/her designee shall notify the parent in writing as to whether the request is approved or denied. If denied, the Principal or his/her designee shall specify the reasons for the denial.

G. Request to Transfer to In-Field Classroom Teacher

A parent whose student is assigned an out-of-field teacher may request that their child be transferred to an in-field classroom teacher within the school and grade in which the student is currently enrolled. Although parents do not have a right to choose a specific classroom teacher, parents may request that their child be transferred. As part of the request, the parent must complete a written request and provide it to the Principal.

All requests for a student to be transferred to another classroom teacher shall be considered by the Principal. Within two (2) weeks of receiving a request in writing, the Principal shall notify the parent in writing as to whether the request is approved or denied.

If an in-field teacher for the student's course and grade level is employed by the school and the transfer would not violate maximum class size requirements, the request shall be approved. The student shall be transferred no later than two (2) weeks from the date the written request is received.

If denied, the Principal shall specify the reasons for the denial.

ACCEL Options

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

Nondiscrimination

All education programs, activities, and opportunities offered by the District are available without discrimination on the basis of race (including anti-Semitism [as defined in Bylaw 0100]), color, ethnicity, national origin, sex (including sexual orientation, transgender status, or gender identity), disability (including HIV, AIDS, or sickle cell trait), pregnancy, marital status, age (except as authorized by law), religion, military status, ancestry, or genetic information, which are classes protected by State and/or Federal law (collectively, 'protected classes'). (see also Policy 2260 - *Nondiscrimination and Access to Equal Educational Opportunity* and Policy 2260.01 - *Section 504/ADA Prohibition Against Discrimination Based on Disability*)

Exceptional Students

A. Notice and Due Process

Parents of students with disabilities and parents of students in residential care facilities are entitled to notice and

due process. (see also Policy 2460 - *Exceptional Student Education*)

B. Graduation

Students with disabilities are provided the opportunity to meet the graduation requirements for a standard high school diploma. Certain students with disabilities may be awarded a special diploma upon high school graduation. (see also Policy 2623 - *Student Assessment*)

C. Meetings with District Personnel

Parents of students with disabilities, or eligible students with disabilities, may be accompanied by another person of their choice at any meeting with District personnel.

District personnel will not object to the attendance of such adult or discourage or attempt to discourage through any action, statement, or other means, parents or an eligible student, from inviting another person of their choice to attend any meeting. Parents, eligible students, or other individuals invited to attend such meetings by parents or eligible students on school grounds shall sign in at the front office of such school as a guest.

Parents, or eligible students, and District personnel shall sign Form SO-SS-161 at the meeting's conclusion which states whether or not any District personnel have prohibited, discouraged, or attempted to discourage the parents, or eligible student from inviting a person of their choice to the meeting pertaining to their child's, or their own, educational environment, placement, or discipline.

Blind Students

Students who are blind have the right to an individualized written education program and appropriate instructional materials to attain literacy.

Limited English Proficient Students

Limited English proficient students have the right to receive English for Speakers of Other Languages (ESOL) instruction designed to develop the student's mastery of listening, speaking, reading, and writing in English as rapidly as possible. The students' parents have the right of parental involvement in the ESOL program.

Students with ~~Substantial Reading and/or Mathematics~~ Deficiencies

Each elementary school shall regularly assess the reading ability of each K-3 student. The parent of any K-3 student who exhibits a reading deficiency shall be immediately notified of the student's deficiency with a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in reading; shall be consulted in the development of a progress monitoring plan; and shall be informed that the student will be given intensive reading instruction until the deficiency is corrected.

Students with Substantial Math Deficiencies

The parent of any K-4 student who exhibits a substantial deficiency in mathematics will be notified that the child has been identified as having a deficiency, with a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in mathematics; a description of current services provided to the child; a description of proposed intensive interventions and supports that will be provided to remediate the identified area of math deficiency; and strategies through a home-based plan the parent can use in helping the child succeed in mathematics, including resources in an electronic format.

Pledge of Allegiance

A student will be excused from reciting the pledge of allegiance or the Declaration of Independence, upon written request by the student's parent, in accordance with State law. See also Policy 8800, *Religious/Patriotic Ceremonies and Observances*.

Student Records

- A. Each parent has an equal right of access, right to waive access, right to challenge and hearing and right of privacy in the education records of their student who is a minor or a dependent adult pursuant to law, unless the school has received a certified copy of an enforceable court order that provides to the contrary. (see also Policy 8330 - *Student*

Records)

- B. A student is not required to provide their social security number as a condition for enrollment or graduation. (see also Policy 8330 - *Student Records*)
- C. The school will not collect, obtain or retain information on the political affiliation, voting history, religious affiliation or biometric information of a student, parent or siblings.

Student Report Cards

Students and their parents have the right to receive student report cards on a regular basis that clearly depict and grade the student's academic performance in each class or course, the student's conduct, and the student's attendance.

Student Progress Reports

Parents shall be informed at regular intervals of the academic progress and other needed information regarding their child, including ways they can help their child to succeed in school. (see also Policy 5420 - *Reporting Student Progress*)

Student Accountability and School Improvement Rating Reports

Parents of public school students are entitled to an easy-to-read report card about the school's grade designation or, if applicable, school's improvement rating, and the school's accountability report, including the school financial report.

High School Athletics

A. Eligibility

A student is eligible in the school in which they first enrolls each school year, the school in which the student makes himself/ herself a candidate for an athletic team by engaging in practice or tryouts before enrolling, or the school to which the student has transferred with approval of the Board, in accordance with State law. (see also Policy 2431 - *Interscholastic Athletics*)

B. Medical Evaluation

Students must satisfactorily pass a medical evaluation each year before participating in athletics, unless the parent objects in writing based on religious tenets or practices, in accordance with State law. (see also Policy 2431 - *Interscholastic Athletics*)

Extra-Curricular Activities

A. Eligibility

Students who meet specified academic and conduct requirements are eligible to participate in extra-curricular activities. (see also Policy 2430 - *District-Sponsored Clubs and Activities*)

B. Home Education Students

Home education students who meet specified academic and conduct requirements are eligible to participate in extra-curricular activities at the public school to which the student would be assigned or could choose to attend according to Board policies, or may develop an agreement to participate at a private school.

C. Charter School Students

Charter school students who meet specified academic and conduct requirements are eligible to participate in extra-curricular activities at the school to which the student would be assigned or could choose to attend according to Board policies unless such activity is provided by the student's charter school.

D. Florida Virtual School Full-Time Students

Florida Virtual School full-time students who meet specified academic and conduct requirements are eligible to participate in extra-curricular activities at the public school to which the student would be assigned or could choose to attend according to Board policies.

Instructional Materials

A. Core Courses

Each student is entitled to sufficient instructional materials in the core courses of mathematics, language arts, social studies, science, reading, and literature.

B. Curricular Objectives

The parent of each student has the right to receive effective communication from the school Principal as to the manner in which instructional materials are used to implement the school's curricular objectives.

C. Sale of Instructional Materials

Instructional materials purchased by the District or a Florida College System institution board of trustees on behalf of dual enrollment students is available to the dual enrollment students free of charge.

D. Dual Enrollment Students

Instructional materials purchased by the District or a Florida College System institution board of trustees on behalf of dual enrollment students is available to the dual enrollment students free of charge.

E. Parent Access to Instructional Materials

Parents have the ability to access their child's instructional materials and may object to the use of a specific instructional material or contest the adoption of instructional material (See Policy 2520, *Selection and Adoption of Instructional Materials*).

Juvenile Justice Programs

Students who are in juvenile justice programs have the right to receive educational programs and services, in accordance with State law.

Parental Input and Meetings

A. Meetings with School District Personnel

Parents may be accompanied by another adult of their choice at a meeting with School District personnel.

B. District Educational Facilities Program

Parents and other members of the public have the right to receive proper public notice and opportunity for public comment regarding the District's educational facilities work program, in accordance with State law.

C. Parent-Teacher Associations and Organizations

Parents have the right to participate in parent-teacher associations and organizations that are sanctioned by the Board or by the Florida Department of Education.

Transportation

A. Transportation to School

Students are provided with transportation to school in accordance with the provisions of State law. (see also Policy 8600 - *Transportation*)

B. Hazardous Walking Conditions

Students in grades K-6 are provided transportation if they are subjected to hazardous walking conditions, in accordance with State law.

C. Parental Consent

Each parent of a public school student must be notified in writing and give written consent before the student may

be transported in a privately owned motor vehicle to a school function in accordance with State law. (see also Policy 8660 - *Transporting Students by Private Vehicles*)

Orderly, Disciplined Classrooms

Students will be in orderly, disciplined classrooms conducive to learning without the distraction caused by disobedient, disrespectful, violent, abusive, uncontrollable, or disruptive students. (see also Policy 5600 - *Student Discipline*)

Economic Security Report

Prior to registration, each middle school and high school student or the student's parent will be provided a two (2) page summary of the Department of Economic Opportunity's economic security report of employment and earning outcomes and electronic access to the report.

Safe Schools

In accordance with notification procedures adopted by the Superintendent, timely notification will be provided to the parents/guardians of District students who are likely to be impacted by critical incidents, threats, unlawful acts and significant emergencies that occur on school grounds, while using school transportation, or during school-sponsored activities.

Parents of District students have a right to access school safety and discipline incidents as reported pursuant to F.S. 1006.07 (9).

Parental Notification of Arrests of Employees

Notwithstanding F.S. 1012.31(3)(a)1 and 1012.796(4), within twenty-four (24) hours after a law enforcement agency provides the Superintendent with notification pursuant to F.S. 1012.797 that a District employee has been arrested for a felony or a misdemeanor involving the abuse of a minor child or the sale or possession of a controlled substance, the Principal shall notify parents of enrolled students who had direct contact with the employee and include, at a minimum, the name and specific charges against the employee.

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Legal	F.S. 39.201
	F.S. 381.0056
	F.S. 394.463
	F.S. 1000.05
	F.S. 1002.20
	F.S. 1002.22
	F.S. 1002.385
	F.S. 1002.39
	F.S. 1002.394
	F.S. 1002.395
	F.S. 1002.40
	F.S. 1002.41

F.S. 1002.411
F.S. 1002.43
F.S. 1003.01(13)
F.S. 1003.02
F.S. 1003.21
F.S. 1003.22
F.S. 1003.3101
F.S. 1003.32
F.S. 1003.42
F.S. 1003.44
F.S. 1003.4505
F.S. 1003.47
F.S. 1003.52
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F.S. 1003.58
F.S. 1006.062(7)
F.S. 1006.07
F.S. 1006.09
F.S. 1006.13
F.S. 1006.15
F.S. 1006.20
F.S. 1006.21
F.S. 1006.22
F.S. 1006.23
F.S. 1006.28
F.S. 1006.40
F.S. 1007.271
F.S. 1008.22
F.S. 1008.25
F.S. 1008.386
F.S. 1012.42
F.S. Chapter 1014
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6320 - PURCHASING AND CONTRACTING FOR COMMODITIES AND CONTRACTUAL SERVICES

Any School Board employee who has purchasing authority shall consider first the interests of the Board in all purchases and seek to obtain the maximum value for each dollar expended; not solicit or accept any gifts or gratuities from present or potential suppliers which might influence or appear to influence purchasing decisions; and refrain from any private business or professional activity that might present a conflict of interest in making purchasing decisions on behalf of the Board.

No person, unless authorized to do so under this policy, may make any purchase or enter into any contract involving the use of school funds. The Board will not approve any expenditure for an unauthorized purchase or contract.

Purchases may be made through an online procurement system, an electronic auction service, or other efficient procurement tool.

Scope

This policy shall generally apply to the District's purchase of commodities and contractual services, except it shall not apply to:

- A. employment contracts;
- B. acquisition of architectural, engineering, landscape architectural, construction management at risk, registered surveying and mapping, or other services pursuant to Policy 6330 - *Acquisition of Professional Architectural, Engineering, Landscape Architectural, or Land Surveying Services*;
- C. acquisition of auditing services pursuant to F.S. 218.391;
- D. acquisition of professional consultant services, including but not limited to services of lawyers, accountants, financial consultants, and other business or operational consultants
- E. contracts which are exempted, in whole or in part, from this policy's requirements, as set forth below;
- F. proposals and agreements for public-private partnerships with private entities for qualifying projects pursuant to F.S. 287.057(12).

Definitions

- A. "Competitive solicitation" means purchasing made through the issuance of an invitation to bid, request for proposals and invitation to negotiate. Competitive solicitations are not required for purchases made through the pool purchase provisions of F.S. 1006.27.

- B. "Invitation to bid" means a written or electronic solicitation for competitive sealed bids. The invitation to bid is used when the Board is capable of specifically defining the scope of work for which a contractual service is required or when the Board is capable of establishing precise specifications defining the actual commodity or group of commodities required. A written solicitation includes a solicitation that is publicly posted.
- C. "Invitation to negotiate" means a written or electronically posted solicitation for competitive sealed replies to select one (1) or more vendors with which to commence negotiations for the procurement of commodities or contractual services. The invitation to negotiate is used when the Board determines that negotiations may be necessary for it to receive the best value. A written solicitation includes a solicitation that is publicly posted.
- D. "Proposer" means those vendors submitting bids or responses to a competitive solicitation.
- E. "Request for proposals" means a written or electronically posted solicitation for competitive sealed proposals. The request for proposals is used when it is not practicable for the Board to specifically define the scope of work for which the commodity, group of commodities, or contractual service is required and when the Board is requesting that a responsible vendor propose a commodity, group of commodities, or contractual service to meet the specifications of the solicitation document. A written solicitation includes a solicitation that is publicly posted.
- F. "Superintendent" means the "Superintendent or designee".
- G. "Request for Quotations" means an informal process to solicit three (3) or more price quotes on commodities or contractual services with standard specifications and valued under the threshold requiring formal competitive solicitations. Quotations may be obtained verbally or via facsimile or e-mail.

Standards and Specifications

Before making any purchase of commodities or contractual services which the Superintendent is authorized by the Board to make or before recommending any purchase to the Board, the Superintendent shall, insofar as possible, propose standards and specifications. S/He shall see that the commodities or contractual services conform to those standards and specifications, and shall take such other steps as are necessary to see that the maximum value is being received for any money expended.

Pre-Purchasing Review of Available Purchasing Agreements and State Term Contracts for Nonacademic Commodities and Contractual Services

Before purchasing nonacademic commodities and contractual services, the Board authorizes the Superintendent to review the purchasing agreements and State-term contracts available under F.S. 287.056 to determine whether it is in the Board's economic advantage to use the agreements and contracts.

Each bid specification for nonacademic commodities and contractual services must include a statement indicating that the purchasing agreements and State-term contracts available under F.S. 287.056 have been reviewed. The Board may use the cooperative State purchasing programs managed through the regional consortium service organizations pursuant to F.S. 1001.451. This policy does not apply to services that are eligible for reimbursement under the Federal E-rate program administered by the Universal Service Administrative Company.

Competitive Solicitation Requirements for Commodities and Contractual Services Other Than Construction Contracting

Except as authorized by law or policy, competitive solicitations shall be requested from three (3) or more sources for the purchase of any authorized commodities or contractual services in an amount greater than \$50,000.

The procurement of commodities or contractual services may not be divided so as to avoid this monetary threshold requirement.

A. Bid Solicitation

The Superintendent is authorized to issue invitations for bids. Any solicitation for the procurement of commodities, contractual services or leases must include a provision notifying vendors that the Board will not request documentation of, consider, or give any preference based on, the vendor's social, political, or ideological interests.

B. Bid Publication

Notice of the invitation for bids or requests for proposals shall be published at least once in a newspaper of general

circulation within the District or on the publicly accessible District website and may be otherwise issued electronically, direct delivery, or other means which are appropriate under the circumstances. The required bid return date is to be announced at the time of the bid offering and shall not be less than five (5) working days from the bid offering date.

All advertisements and public notices published on a website as provided in F.S. Chapter 50 must be in a searchable form and indicate the date on which the advertisement or public notice first appeared on the website.

C. Bid Opening

Bids will be opened in the office designated in the bid document with the Superintendent's designee and at least one (1) other District employee present.

D. Bid Rejection

The Board may reject any or all bids and request new bids.

E. Bid Award

In acceptance of responses to invitations to bid, the Board may accept the proposal of the lowest responsive, responsible proposer. The Board may also choose to award contracts to the lowest responsive, responsible bidder as the primary awardee of a contract and to the next lowest responsive, responsible bidder(s) as alternate awardees, from whom commodities or contractual services would be purchased, should the primary awardee become unable to provide all of the commodities or contractual services required by the Board during the term of the contract. Nothing herein is meant to prevent multiple awards to the lowest responsive and responsible bidders, when such multiple awards are clearly stated in the bid solicitation documents.

F. Bidder/Vendor Qualifications

For a bidder to be considered responsive, the proposal must respond to all bid specifications in all material respects and contain no irregularities or deviations from the bid specifications which would affect the amount of the bid or otherwise provide a competitive advantage.

For a bidder to be deemed responsible, the Board may request evidence from the bidder concerning:

1. the experience (type of product or service being purchased, etc.) of the bidder;
2. the financial condition;
3. the conduct and performance on previous contracts (with the District or other agencies);
4. the bidder's facilities;
5. the ability to execute the contract properly.

The Board will not request documentation of or consider a vendor's social, political, or ideological interests when determining if the vendor is a responsible vendor. Nor will the Board give any preference to a vendor based on the vendor's social, political, or ideological interests.

Award of a bid by the Board shall only represent an indication by the Board that a bid represents the lowest responsive bid from a responsible and responsive bidder meeting the requirements and criteria set forth in the invitation to bid. Award of a bid shall not create a binding obligation on the Board, and no obligation shall be created or imposed on the District until such time as the Board Chair/designee executes a contract.

Identical/Tie Low Bids

When identical low bids are received from an out-of-District vendor and a local vendor, the local vendor shall be recommended for award. The term "local vendor" means a vendor who has an established business presence in the District indicated by the following:

- A. Has a physical business location within the District for at least six (6) months immediately prior to issuance of the competitive solicitation.
- B. Provides customer access at the business location.

C. Holds any required business license through a jurisdiction in the District.

D. Employs one (1) full-time or two (2) part-time employees in the District, or if the business has no employees, is at least fifty percent (50%) owned by one (1) or more persons whose primary residence(s) is located within the District.

When two (2) or more local vendors present tie low bids on the same items, the company receiving the larger dollar award of the total bid shall be recommended for tie items.

In the event two (2) or more local vendors present exact tie low bids and the dollar award is not a criterion, the successful bidder shall be selected by applying the following criteria in order:

A. drug-free workplace program in accordance with Florida law

B. minority business enterprise (MBE) certified by the State of Florida Office of Supplier Diversity

C. veteran business enterprise, certified by the State of Florida Department of Management Services

When two (2) out-of-District vendors submit identical low bids, the criteria noted above shall be used to determine the successful bidder.

Exception to Competitive Bidding Requirements

Notwithstanding anything in this policy to the contrary, the Board may make certain purchases without the requirement for competitive solicitations, under the following conditions:

A. In lieu of requesting competitive solicitations from three (3) or more sources, the Board may make purchases at or below the unit prices in contracts awarded by other Federal, State, city or county governmental agencies, other school boards, community colleges, or State university system cooperative bid agreements when the proposer awarded a contract by another entity will permit purchases by the Board at the same terms, conditions, and unit prices (or below such prices) awarded in such contract, and such purchases are to the economic advantage of the Board.

B. The Superintendent is authorized to purchase commodities and contractual services where the total amount does not exceed \$50,000.00 and does not exceed the applicable appropriation in the budget.

C. The Superintendent is authorized to purchase commodities and contractual services under the Department of Management Services State term contracts.

D. Competitive solicitations are not required for pool purchases made as provided in F.S. 1006.27.

E. The State Board has waived the requirement for requesting competitive solicitations from three (3) or more sources for purchases by the Board of:

1. Professional services which shall include, without limitation, artistic services; academic program reviews; lectures by individuals; auditing services not subject to F.S. 218.391; legal services, including attorney, paralegal, expert witness, court reporting, appraisal or mediator services; and health services involving examination, diagnosis, treatment, prevention, medical consultation or administration; provided nothing herein shall be deemed to authorize the superintendent to acquire professional consultant services without Board approval as required by Board Policy 6540;
2. Educational services and any type of copyrighted materials including, without limitation, educational tests, textbooks, printed instructional materials, computer software, films, filmstrips, videotapes, DVDs, disc or tape recordings, digital recordings, or similar audio-visual materials, and for library and reference books, and printed library cards where such materials are purchased directly from the producer or publisher, the owner of the copyright, an exclusive agent within the state, a governmental agency or a recognized educational institution;
3. Commodities and contractual services when:
 - a. competitive solicitations have been requested in the manner prescribed by this policy; and

- b. the Board has made a finding that no valid or acceptable firm proposal has been received within the prescribed time.

When such a finding has been officially made, the Board may enter into negotiations with suppliers of such commodities and contractual services and may execute contracts with such vendors under whatever terms and conditions as the Board determines to be in its best interests.

- 4. Commodities and contractual services when fewer than two (2) responsive proposals are received. The Board may then negotiate on the best terms and conditions or decide to reject all proposals. The Board will document the reasons that negotiating terms and conditions with the sole proposer is in the best interest of the District in lieu of re-soliciting proposals.
- F. Information technology resources, whether by purchase, lease, lease with option to purchase, rental, or otherwise as defined in F.S. 282.0041(19), may be acquired by competitive solicitation or by direct negotiation and contract with a vendor or supplier, as best fits the needs of the District as determined by the Board.
- G. Purchases of insurance, risk management programs, or contracting with third-party administrators for insurance-related services may be through competitive solicitation or by direct negotiation and contract with a vendor or supplier.
- H. Purchase of milk is exempt from competitive bid requirements if:
- 1. the Board has made a finding that no valid or acceptable firm bid has been received within the prescribed time; or
 - 2. the Board has made a finding that an emergency situation exists.
- The Board may then enter into negotiations with suppliers of milk and has the authority to execute contracts under whatever terms and conditions the Board determines to be in the best interest of the District.
- I. The Board may dispense with requirements for a competitive solicitation for the emergency purchase of commodities or contractual services when the Superintendent determines in writing that an immediate danger to the public health, safety, or welfare or other substantial loss to the District requires emergency action. After the Superintendent makes such a written determination, the Board may proceed with the procurement of commodities or contractual services necessitated by the immediate danger, without requesting competitive solicitations. However, such an emergency purchase shall be made by obtaining pricing information from at least two (2) prospective vendors, which must be retained in the contract file, unless the Superintendent determines in writing that the time required to obtain pricing information will increase the immediate danger to the public health, safety, or welfare or other substantial loss to the District.
- J. Commodities or contractual services available only from a single source may be exempted from the competitive solicitation requirements. When the Board believes that commodities or contractual services are available only from a single source, the Board will electronically post a description of the commodities or contractual services sought for a period of at least seven (7) business days. The description will include a request that prospective vendors provide information about their ability to supply the commodities or contractual services described. If it is determined in writing by the Board, after reviewing any information received from prospective vendors, that the commodities or contractual services are available only from a single source, the Board shall provide notice of its intended decision to enter a single source contract in the manner specified in Policy 6326 - *Bid Protests*, and may negotiate on the best terms and conditions with the single source vendor.
- K. The Board may make purchases of construction project materials directly from vendors, on behalf of the awarded construction contractor/manager, to take advantage of the District's "sales tax" exempt status.
- L. A contract for commodities or contractual services may be awarded without competitive solicitations if State or Federal law, a grant or a State or Federal agency contract prescribes with whom the Board must contract or if the rate of payment is established during the appropriations process.
- M. A contract for regulated utilities or government-franchised services may be awarded without competitive solicitations.

Contract

Each Board contract for services must include a provision that requires the contractor to comply with public records laws, specifically to:

- A. keep and maintain public records that ordinarily and necessarily would be required by the Board in order to perform the service under the contract;
- B. provide the public with access to its public records on the same terms and conditions as the Board would provide the records, and at a cost that does not exceed the cost provided in Policy 8310 - *Public Records*;
- C. ensure that any of its public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed, except as authorized by law;
- D. meet all requirements for retaining public record and, upon termination of the contract, transfer to the Board, at no cost, all public records in its possession and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the Board in a format that is compatible with the Board's information technology systems;
- E. the contractor shall furnish a copy of any public records request or request for records in any way relating to the District, immediately upon receipt to the District's Director of Finance and Purchasing or designee.

Each contract must also include the following statement, in substantially the following form, identifying the contact information of the District's custodian of public records in at least fourteen (14) point boldface type: "IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF F.S. CHAPTER 119 TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT (352)797-7070 ext. 414, shepard_a@hcsb.k12.fl.us, 919 N. Broad Street, Brooksville, FL 34601".

Contracts shall be approved and executed as follows:

A. Superintendent/Designee Authority

The Superintendent is authorized to approve and execute contracts on behalf of the District involving expenditure of public funds in an amount no greater than \$50,000.00, so long as the obligation created does not exceed the applicable appropriation within the District budget and the contract is otherwise in compliance with applicable District procedures, policies, and law. For purposes of this policy, any group of contracts, purchase orders to the same provider which are connected in terms of time, location and services such that a reasonable person would view them as a single contract shall be deemed to be a single contract. The Superintendent shall not divide the procurement of commodities or contractual services so as to avoid the monetary cap imposed by this policy. Designations of contracting authority by the Superintendent shall be in writing and shall specify the maximum obligation permitted up to \$50,000.00.

B. Emergency Purchases

Notwithstanding the general limit on the Superintendent's authority to enter into contracts involving expenditure of public funds in an amount no greater than \$50,000.00, the Superintendent is authorized to approve and execute contracts on behalf of the District involving expenditure of public funds in an amount of \$50,000 or greater when the Superintendent determines in writing that an immediate danger to the public health, safety, or welfare or other substantial loss to the School District requires emergency action.

C. Board Approval

Except as expressly provided herein, the Board shall approve and execute all contracts on behalf of the District involving the expenditure of public funds in an amount greater than \$50,000. When the Superintendent has determined that an emergency exists, the emergency purchase is placed, after the fact, on the first available Board meeting (F.A.C. 6A-1.012(12) (e)).

Purchase Order Approval

A. Bids/Exceptions

The Superintendent is authorized to issue purchase orders in accordance with bids awarded pursuant to below without further action of the Board so long as the obligation created does not exceed \$50,000.00. Board approval shall be obtained for all purchase orders greater than \$50,000.00.

B. Contracts

Contracts shall be approved as follows:

1. Obtain approval by the ~~Board~~ attorney **for the Board or District as applicable**.
2. Principals have the authority to approve contracts for purchases involving the expenditure from internal account funds for one(1) year and not to exceed the bid limit as set forth by the School District.
3. The Superintendent has the authority to approve purchase contracts in an amount up to \$50,000.00.
4. Board approval shall be obtained for all purchase contracts in an amount of \$50,000.01 or more.

Consultant Agreements

The Superintendent may enter into agreements with consultants not to exceed \$50,000 for the total school year to provide training and advisory services. Agreements must be signed by the consultant and approved to form by the general counsel authority prior to the performance of services. Amounts in excess of these must be approved by the School Board. Partial payments shall be made to the consultant while services are rendered. Final payment will not be paid until all services and supportive documentations have been completed.

Debarment

The Director of Finance and Purchasing or designee shall have the authority to debar a person/corporation, for cause, from consideration or award of further contracts. The debarment shall be for a period commensurate with the seriousness of the cause, generally not to exceed three (3) years. If a suspension precedes a debarment, the suspension period shall not be considered in determining the debarment period. When the offense is willful or blatant, a longer term of debarment may be imposed, up to an indefinite period.

A. Cause of Debarment

The term "debar" or "debarment" means to remove a vendor from bidding on District work. Causes for debarment include, but are not limited to the following:

1. a conviction for commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or sub-contract, or in the performance of such contract
2. conviction under State or Federal statutes for embezzlement, theft, forgery, bribery, falsification or destruction of records, or receiving stolen property, or any other offense indicating lack of business integrity or business honesty which currently, seriously, and directly affects responsibility as a vendor
3. conviction under State or Federal anti-trust statutes arising out of submission of bids or proposals
4. violation of contract provisions, including:
 - a. deliberate failure, without good cause, to perform in accordance with specifications or within the time limits provided in the contract(s); and
 - b. a recent record of failure to perform, or of unsatisfactory performance, in accordance with the terms of one (1) or more contracts; provided that failure to perform or unsatisfactory performance caused by acts beyond the control of the contractor shall not be considered to be a basis for debarment
5. refutation of an offer by failure to provide bonds, insurance or other required certificates within the time period as specified in bid/RFP response
6. refusal to accept a purchase order, agreement, or contract, or to perform thereon, provided such order was issued timely and in conformance with the offer received
7. presence of principals or corporate officers in the business of concern who were principals within another business at the time when the other business was suspended within the last three (3) years under the provisions of this section
8. violation of the ethical standards set forth in State law

9. providing or offering to provide anything of value, including, but not limited to, a gift, loan, reward, promise of future employment, favor or service to any employee to influence the award of a contract or purchase items from a contractor
10. the existence of unresolved disputes between the contractor and the District arising out of or relating to prior contracts between the District and the contractor, work performed by the contractor, or services or products delivered
11. any other cause the Director of Finance and Purchasing or designee determines to be so serious and compelling as to affect credibility as a District vendor, including debarment by another governmental entity for any cause listed in this policy

B. Notice of Recommended Decision

The Director of Finance and Purchasing or designee shall issue a notice letter that advises the party that it is debarred or suspended. The letter shall:

1. state the reason(s) for the action taken; and
2. inform the vendor of its right to petition the Board for reconsideration.

C. Right to Request a Hearing

Any person who is dissatisfied or aggrieved with the notification of the determination to debar or suspend must, within ten (10) calendar days of such notification, appeal such determination to the Board.

D. Hearing Date

The Board shall schedule a hearing at which time the person shall be given the opportunity to demonstrate why the debarment/suspension by the Director of Finance and Purchasing or designee should be overturned. All parties shall be given notice of the hearing date.

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Legal	F.S. 50.0311
	F.S. 119.0701
	F.S. 255.05
	F.S. 255.0516
	F.S. 255.0518
	F.S. 282.0041
	F.S. 287.056
	F.S. 287.084
	F.S. 287.087
	F.S. 287.132
	F.S. 287.133
	F.S. 295.187
	F.S. 1001.43

F.S. 1001.451

F.S. 1010.04

F.S. 1010.07(2)

F.S. 1010.48

F.A.C. 6A-1.012, Purchasing Policies

F.A.C. 5P-1.003, Responsibilities for the School Food Service Program

Last Modified by Annette Martinson on March 13, 2024

Book	Policy Manual
Section	Vol. 24, No.2, Nov. 23 Revised
Title	ACQUISITION OF PROFESSIONAL ARCHITECTURAL, ENGINEERING, LANDSCAPE ARCHITECTURAL, OR LAND SURVEYING SERVICES
Code	*po6330 mc3/12/24, am 3-13-24
Status	
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6330 - ACQUISITION OF PROFESSIONAL ARCHITECTURAL, ENGINEERING, LANDSCAPE ARCHITECTURAL, OR LAND SURVEYING SERVICES

The School Board is authorized to employ procedures to contract for the construction of new facilities, or for additions, remodeling, renovation, maintenance, or repairs to existing facilities by licensed professionals pursuant to F.S. 287.055, The Consultants' Competitive Negotiation Act ("CCNA").

A. Definitions

1. "Professional Services" means those services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping, as defined by the laws of the State, or those performed by any architect, professional engineer, landscape architect, or registered land surveyor and mapper in connection with his/her professional employment or practice.
2. "School Board" means The School Board of Hernando County, Florida, and describes an agency as defined in State law.
3. "Firm" means any individual, firm, partnership, corporation, association, or other legal entity permitted by law to practice architecture, engineering, or surveying and mapping in the State.
4. "Compensation" means the total amount paid by the Board for professional services regardless of whether stated as compensation or stated as hourly rates, overhead rates, or other figures or formulas from which compensation can be calculated.
5. "PSAC" shall mean the Professional Service Advisory Committee.
6. "Project" means that fixed capital outlay study or planning activity described in the public notice pursuant to Section C herein. The Board shall prescribe, in compliance with State law, procedures for the determination of a project under its jurisdiction. Such procedures may include:
 - a. determination of a project which constitutes a grouping of minor construction, rehabilitation, or renovation activities.
 - b. determination of a project which constitutes a grouping of substantially similar construction, rehabilitation, or renovation activities.
7. A "Continuing Contract" is a contract for professional services entered into in accordance with all the procedures of the CCNA between the Board and a firm whereby the firm provides professional services to the Board for projects in which the estimated construction cost of each individual project under the contract does

not exceed \$4 million; for study activity if the fee for such professional services for each individual study under the contract does not exceed \$500,000; or for work of a specified nature as outlined in the contract required by the Board with the contract being for a fixed term or with no time limitation except that the contract must provide a termination clause. Firms providing professional services under continuing contracts shall not be required to bid against one another.

8. A "design-build firm" means a partnership, corporation, or other legal entity that:

- a. is certified under F.S. 489.119 to engage in contracting through a certified or registered general contractor or a certified or registered building contractor as the qualifying agent; or
- b. is certified under F.S. 471.023 to practice or to offer to practice engineering; certified under F.S. 481.219 to practice or to offer to practice architecture; or certified under F.S. 481.319 to practice or to offer to practice landscape architecture.

9. A "design-build contract" means a single contract with a design-build firm for the design and construction of a public construction project.

10. A "design criteria package" means concise, performance-oriented drawings or specifications of the public construction project. The purpose of the design criteria package is to furnish sufficient information to permit design-build firms to prepare a bid or a response to the Board's request for proposal, or to permit an agency to enter into a negotiated design-build contract. The design criteria package must specify performance-based criteria for the public construction project, including the legal description of the site, survey information concerning the site, interior space requirements, material quality standards, schematic layouts and conceptual design criteria of the project, cost or budget estimates, design and construction schedules, site development requirements, provisions for utilities, stormwater retention and disposal, and parking requirements applicable to the project.

11. A "design criteria professional" means a firm who holds a current certificate of registration under F.S. Chapter 481, to practice architecture or landscape architecture or a firm who holds a current certificate as a registered engineer under F.S. Chapter 471, to practice engineering and who is employed by or under contract to the Board for professional architect services, landscape architect services, or engineering services in connection with the preparation of the design criteria package.

12. "Negotiate" or any form of that word means to conduct legitimate, arms length discussions and conferences to reach an agreement on a term or price. For purposes of this policy, the term does not include presentation of flat-fee schedules with no alternatives or discussion.

B. Professional Service Advisory Committee

1. The PSAC shall be comprised of one (1) Board member, one (1) designee of the Superintendent, the Director of Facilities or his/her designee, one (1) representative from operation services, one (1) program/staff representative, as well as any additional members deemed appropriate by the Superintendent.

a. The Board shall annually appoint one (1) of its members to serve on the PSAC, and shall also designate one (1) of its members as an alternate, who shall attend PSAC meetings when and if the designated member cannot.

b. The Superintendent shall appoint his/her designee, the representative of operations services, the program/staff representative.

c. The Superintendent shall appoint additional members as s/he deems appropriate given a particular project.

2. The Director of Facilities, or his/her designee, shall chair the PSAC.

C. Public Announcement and Qualification Procedures

1. The Board shall publicly announce, in a uniform and consistent manner, each occasion when professional services are required to be purchased for a project the basic construction cost of which is estimated by the Board to exceed the maximum amount established in State law for CATEGORY FIVE, which is \$325,000, or for planning or study activity when the fee for professional services exceeds the maximum amount established in State law for CATEGORY TWO, which is \$35,000, except in cases of valid public emergencies so certified by the Board. The public notice shall include a general description of the project and shall indicate

how interested consultants may apply for consideration.

2. Local contractors are encouraged to submit proposals, and contractors are encouraged to offer bidding opportunities to local subcontractors.
3. The Board shall encourage firms engaged in the lawful practice of their professions that desire to provide professional services to the Board to submit annually statements of qualifications and performance data. Failure to submit an RFQ (Request for Qualifications) shall not preclude the Board from purchasing services from any firm engaged in the lawful practice of its profession.
4. Any firm or individual desiring to provide professional services to the Board must first be certified by the Board as qualified pursuant to law and the regulations of the Board. The Board shall make a finding that the firm or individual to be employed is fully qualified to render the required service. Among the factors to be considered in making this finding are the capabilities, adequacy of personnel, past record, and experience of the firm or individual.
5. The Superintendent shall develop administrative procedures for the evaluation of professional services, including, but not limited to, capabilities, adequacy of personnel, past record, experience, whether the firm is a certified minority business enterprise as defined by the Florida Small and Minority Business Assistance Act of 1985, and such other factors as may be determined by the Board to be applicable to its particular requirements. When securing professional services, the Board shall endeavor to meet the minority business enterprise procurement goal set forth in F.S. 287.09451.
6. The public shall not be excluded from these proceedings.

D. Competitive Selection

1. For each proposed project, the PSAC shall evaluate current statements of qualifications and performance data on file, together with those that may be submitted by other firms regarding the proposed project, and shall conduct discussions with, and may require public presentations by, no fewer than three (3) firms, regarding their qualifications, approach to the project, and ability to furnish the required services.
2. The PSAC shall select in order of preference no fewer than three (3) firms deemed to be the most highly qualified to perform the required services. In determining whether a firm is qualified, the PSAC shall consider such factors as the ability of professional personnel; whether a firm is a certified minority business enterprise; past performance; willingness to meet time and budget requirements; location; recent, current, and projected workloads of the firms; and the volume of work previously awarded to each firm by the Board, with the object of effecting an equitable distribution of contracts among qualified firms, provided such distribution does not violate the principle of selection of the most highly qualified firms. The PSAC may request, accept, and consider proposals for the compensation to be paid under the contract only during competitive negotiations under section E below.
3. This section does not apply to a professional service contract for a project, the basic construction cost of which is estimated by the Board to be not in excess of \$325,000 or for a planning or study activity when the fee for professional services is not in excess of \$35,000. These amounts shall increase along with the thresholds defined in F.S. 287.017 for CATEGORY FIVE and/or CATEGORY TWO. However, if, in using another procurement process, the majority of the compensation proposed by firms is in excess of the appropriate threshold amount, the Board shall reject all proposals and reinitiate the procurement pursuant to statute. (F.S. 287.055(4)(c)).
4. The Board shall evaluate qualifications of a minimum of three (3) finalists by considering the written materials submitted by the applicants, performance data on file with the District, materials submitted by other firms or individuals, and the evaluation of the PSAC. Although the Board shall consider the evaluation of the PSAC, such evaluation shall not be binding on the Board. The Board retains the authority to re-rank the three (3) finalists.
5. Nothing in this rule shall be construed to prohibit a continuing contract between a firm and Board.

E. Competitive Negotiation

1. A tentative contract shall be negotiated with the most qualified firm for professional services at compensation which the Board's designee(s) determine(s) is fair, competitive, and reasonable. In making such determination, the Board's designee(s) shall conduct a detailed analysis of the cost of the professional services required in addition to considering their scope and complexity. For any lump-sum or cost-plus-a-

fixed-fee professional service contract that exceeds the maximum amount established by State law for CATEGORY FOUR, which is \$195,000, the Board shall require the firm receiving the award to execute a truth-in-negotiation certificate stating that wage rates and other factual unit costs supporting the compensation are accurate, complete, and current at the time of contracting. Any professional service contract under which such a certificate is required shall contain a provision that the original contract price and any additions thereto shall be adjusted to exclude any significant sums by which the Board determines the contract price was increased due to inaccurate, incomplete, or non-current wage rates and other factual unit costs. All such contract adjustments shall be made within (1) year following the end of the contract.

2. Should the Board's designee(s) be unable to negotiate a satisfactory tentative contract with the firm considered to be the most qualified at a price the Board's designee(s) determines to be fair, competitive, and reasonable negotiations with that firm shall be formally terminated. The Board's designee(s) shall then undertake negotiations with the second most qualified firm. Failing tentative accord with the second most qualified firm, the Board's designee(s) shall terminate negotiations. The Board's designee(s) shall then undertake negotiations with the third most qualified firm.
3. Should the Board's designee(s) be unable to negotiate a satisfactory tentative contract with any of the selected firms, the Board's designee(s) shall select additional firms in the order of their competence and qualification and continue negotiations in accordance with this subparagraph until a tentative agreement is reached or shall be readvertised.
4. When the Board's designee(s) successfully negotiates a tentative contract with a firm considered to be fully qualified at a price the Board's designee(s) determines to be fair, competitive, and reasonable, the tentative contract will be presented to the Superintendent for his/her review and recommendation to the Board. The Board shall either approve or disapprove the tentative contract. Upon Board approval, the approved contract shall be duly executed.

F. Prohibition Against Contingent Fees

Each contract entered into by the Board for professional services shall contain a prohibition against contingent fees as required by F.S. 287.055(6).

G. Design-Build Contracts

The Board will award design-build contracts by the use of a competitive proposal selection process as described in this section, or by the use of a qualifications-based selection process pursuant to sections C, D, and E above, for entering into a contract whereby the selected firm will, subsequent to competitive negotiations, establish a guaranteed maximum price and guaranteed completion date. If the Board elects the option of qualifications-based selection, during the selection of the design-build firm the Board will employ or retain a licensed design professional appropriate to the project to serve as the Board's representative.

Procedures for the use of a competitive proposal selection process must include as a minimum the following:

1. The preparation of a design criteria package for the design and construction of the public construction project.

The design criteria package must be prepared and sealed by a design criteria professional employed by or retained by the Board. If the Board elects to enter into a professional services contract for the preparation of the design criteria package, then the design criteria professional must be selected and contracted with under the requirements of sections D and E above. A design criteria professional who has been selected to prepare the design criteria package is not eligible to render services under a design-build contract executed pursuant to the design criteria package.

2. The qualification and selection of no fewer than three (3) design-build firms as the most qualified, based on the qualifications, availability, and past work of the firms, including the partners or members thereof.
3. The criteria, procedures, and standards for the evaluation of design-build contract proposals or bids, based on price, technical, and design aspects of the public construction project, weighted for the project.
4. The solicitation of competitive proposals, pursuant to a design criteria package, from those qualified design-build firms and the evaluation of the responses or bids submitted by those firms based on the evaluation criteria and procedures established prior to the solicitation of competitive proposals.

5. For consultation with the employed or retained design criteria professional concerning the evaluation of the responses or bids submitted by the design-build firms, the supervision or approval by the Board of the detailed working drawings of the project; and for evaluation of the compliance of the project construction with the design criteria package by the design criteria professional.
6. In the case of public emergencies, the Board may declare an emergency and authorize negotiations with the best qualified design-build firm available at that time.

H. Reuse of Existing Plans

~~Notwithstanding any other provisions of this policy, there shall be no public notice requirement or utilization of the selection process as provided in this policy for projects in which the Board is able to reuse existing plans from a prior project. However, public notice for any plans which are intended to be reused at some future time shall contain a statement which provides that the plans are subject to reuse in accordance with the provisions of F.S. 287.055(10).~~

Notwithstanding any other provision of this section, there shall be no public notice requirement or utilization of the selection process as provided in this section for projects in which the agency is able to reuse existing plans from a prior project of the agency, or, in the case of a board as defined in s.1013.01, a prior project of that or any other board. Except for plans of a board as defined in s. 1013.01, public notice for any plans that are intended to be reused at some future time must contain a statement that provides that the plans are subject to reuse in accordance with the provisions of this subsection.

I. Protest Procedure

The protest procedure will be as described in Policy 6326 - Bid Protests.

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Legal	F.S. 287.055
	F.S. 1001.43
	F.S. 1013.46

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Book	Policy Manual
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Title	INFORMATION SECURITY
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Status	
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Last Revised	December 12, 2023

8305 - **INFORMATION SECURITY**

The District collects, classifies, and retains data/information from and about students, staff, vendors/contractors, and other individuals, about programs and initiatives undertaken by the school system, and about and related to the business of the District. This information may be in hard copy or digital format, and may be stored in the District or offsite with a third-party provider.

Data/Information collected by the District shall be classified as confidential, controlled, or published. Data/Information will be considered controlled until identified otherwise.

Protecting District information resources (as defined in Bylaw 0100) is of paramount importance. Information security requires everyone's active participation to keep the District's data/information secure. This includes School Board members, staff members/employees, students, parents, contractors/vendors, and visitors who use District technology resources (as defined in Bylaw 0100) and information resources.

Individuals who are granted access to data/information collected and retained by the District must follow established procedures so that the information is protected and preserved. Board members, administrators, and all District staff members, as well as contractors, vendors, and their employees, granted access to data/information retained by the District are required to certify annually that they shall comply with the established information security protocols pertaining to District data/information. Further, all individuals granted access to confidential data/information retained by the District must certify annually that they will comply with the information security protocols pertaining to confidential data/information. Completing the appropriate section of the Staff Technology Acceptable Use and Safety form (Form 7540.04 F1) shall provide this certification.

All Board members, staff members/employees, students, contractors/vendors, and visitors who have access to Board-owned or managed data/information must maintain the security of that data/information and the District technology resources on which it is stored.

If an individual has any questions concerning whether this policy and/or its related administrative ~~guidelines~~ **procedures** apply to him/her or how they apply to him/her, the individual should contact the District's Supervisor of Technology or Information Technology Department/Office.

The Superintendent shall develop administrative procedures that set forth the internal controls necessary to provide for the collection, classification, retention, access, and security of District data/information.

Further, the Superintendent is authorized to develop procedures that would be implemented in the event of an unauthorized release or breach of data/information. These procedures shall comply with the District's legal requirements if such a breach of personally- identifiable information occurs.

The Superintendent shall require the participation of staff members in appropriate training related to the internal controls pertaining to the data/information that they collect, to which they have access, and for which they would be responsible for the security protocols.

Third-party contractors/vendors who require access to confidential data/information collected and retained by the District will be informed of relevant Board policies that govern access to and use of information resources, including the duty to safeguard the confidentiality of such data/information.

Failure to adhere to this policy and its related administrative procedures may put data/information collected and retained by the District at risk. Employees who violate this policy and/or the administrative procedures promulgated consistent with this policy may have disciplinary consequences imposed, up to and including termination of employment, and/or referral to law enforcement. Students who violate this policy and/or associated procedures will be subject to disciplinary action, up to and including expulsion, and/or referral to law enforcement. Contractors/Vendors who violate this policy and/or associated procedures may face termination of their business relationships with and/or legal action by the District. Parents and visitors who violate this policy and/or associated procedures may be denied access to the District's technology resources.

In addition, the District shall take steps to ensure that **terms of service privacy policies of** contracted providers of online educational products that are offered to K-12 students comply **State and Federal privacy laws, including the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations, the Children's Online Privacy Protection Act (COPPA) F.S. 1002.22, and with** the Student Online Personal Information Protection Act, **in accordance with** F.S. 1006.1494.

The District shall: (a) designate a person or persons to be responsible for the review and approval of all contracts for online educational services; and (b) establish procedures for notifying parents and eligible students if Personally Identifiable Information (PII) will be collected by the online educational service provider, how the information will be used, when and how it will be destroyed, and the terms of re-disclosure if any. For any online educational service that a student or parent is required to use, the District must provide notice on its website of the PII information that may be collected, how it will be used, when it will be destroyed, the terms of re-disclosure, if any, and a link to the service provider's terms of service and privacy policy if publicly available. See Policy 8330 - Student Records for a detailed description of "PII."

The Board specifically prohibits online educational service providers from sharing or selling a student's PII for commercial purposes, including but not limited to targeted advertising, without providing parents a mean to either consent or disapprove. The District shall notify contracted service providers when a student withdraws from the District so that the provider can delete the student's ~~personal identifying information~~ PII within the required ninety (90) days in accordance with State law and State Board of Education rules.

The Superintendent shall conduct a periodic assessment of risk related to the access to and security of the data/information collected and retained by the District, as well as the viability of the continuity of organizational operations plan developed pursuant to Policy 8300.

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8330 - **STUDENT RECORDS - Special update- Sept. 2023 and Vol. 24, No. 2, Nov. 23**

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

Definitions

- 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. "Online educational service" means computer software, mobile applications (apps), and web-based tools that students or parents are required to use and access through the internet and as part of a school activity or function. Examples include online services that students or parents use to access class readings, assignments, or videos, to view learning progression, or to complete assignments. This does not include online services that students or parents may use in their personal capacity or to online services that districts or schools may use to which students or parents do not have access, such as a district student information system.
- D. "Parent" or "parents" includes parents or guardians of students who are or have been in attendance at a school or institution.
- E. "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.
- F. "Student" means any individual who is or has been in attendance in a District school and regarding whom the District maintains education records.
- G. "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.

H. "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.

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

Maintenance of Student Records

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

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

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.

1. Health information, family background data, standardized test scores, State-mandated achievement test scores, educational and career plans, honors and activities, work experience reports, and teacher comments.
2. Reports of student services or exceptional student staffing committees including all information required by F.S. 1001.42.
3. Correspondence from community agencies or private professionals.
4. Discipline records.
5. School Environmental Safety Incident Reports (SESIR) collected under F.S. 1006.07.
6. Threat assessments 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. A list of schools attended.
8. Written agreements of corrections, deletions, or expunctions as a result of meetings or hearings to amend educational records.
9. Academic and behavioral intervention services.
10. Psychological evaluations.
11. Therapeutic treatment plans and therapy progress notes.
12. Such other records of educational importance as the school shall deem necessary.
13. Records designated for retention by the Florida Department of State in General Records Schedule GS7 for *Public Schools Pre-K-12, Adult and Vocational/Technical*.

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

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

Periodic review for 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 cumulative records (Category A) as specified in the current Student Records Manual for the District	Central District office	Superintendent	Records Management 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.

Requests to Deviate from Students Legal Name

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

Access to Student Records

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

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

Schools may, without consent of parents, guardians, or eligible students, provide access to school officials to perform an administrative, supervisory, or instructional task, or to perform a service or benefit for the student or the student's family, and psychologists within the School District providing they have a legitimate educational interest. Support employees may be designated by the principal for the purpose of doing clerical work and maintaining student records. However, such persons shall receive in-service training concerning the confidentiality of student records and work under the supervision and control of an administrative staff member.

Whenever a student has attained eighteen (18) years of age, the permission and consent required of and rights accorded to the parents of the student as to student records maintained by the District, shall thereafter be required of and accorded to the eligible student only, unless the eligible student is a dependent of 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 Principal is unable to notify prior to time for compliance set forth in the court order, she/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 student, or his/her parent if the student is either a minor and not attending an institution of postsecondary education or a dependent of such parent as defined in 26 U.S.C. 152 (s. 152 of the Internal Revenue Code of 1954), is notified of the order or subpoena in advance of compliance therewith by the educational institution or agency.

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

Transcripts of a student's records may be released without written consent from the students' parents, guardians, or eligible student, to any vocational-technical center, community college, or any postsecondary institutions of higher learning in which the student seeks or intends to enroll. A copy of the records may be released to the student's parents, guardians, or eligible student upon request. This policy is also applicable in instances where such a request is in connection with a student's application for, or receipt of, financial aid.

Hearing Procedure to Correct Student Records

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

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

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

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

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

Disclosure of Personally Identifiable Information

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

A. Prior Written Consent

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

B. Without Prior Written Consent

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

1. Officials of schools, school systems, career centers, or public postsecondary educational institutions in which the student seeks or intends to enroll; and a copy of such records or reports shall be furnished to the parent or student upon request.
2. Other school officials, including teachers within the educational institution or agency, who have a legitimate educational interest in the information contained in the records.
3. The United States Secretary of Education, the Director of the National Institute of Education, the Assistant Secretary for Education, the Comptroller General of the United States, or State or local educational authorities who are authorized to receive such information subject to the conditions set forth in applicable Federal statutes and regulations of the United States Department of Education, or in applicable State statutes and rules of the State Board of Education.

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

This written agreement must include:

- a. designation of the receiving individual or entity as an authorized representative;
- b. specification of the information to be disclosed;
- c. specification that the purpose of the disclosure is to carry out an audit or evaluation of a government-supported educational program or to enforce or comply with the program's legal requirements;
- d. a summary of the activity that includes a description of 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 Generals 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

- 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 five (5) 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 include, if applicable, verified reports of serious or recurrent behavior patterns, including any threat assessment report, all corresponding documentation, and any other information required by the Florida-specific behavioral threat assessment instrument pursuant to F.S. 1001.212 which contains the evaluation, intervention, and management of the threat assessments evaluation 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 five (5) school days of receipt of a written request from the principal of the receiving school, the parent, guardian, or eligible student.

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

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.

6.

C. Contracts or agreements with third-party vendors

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

Request for Student Social Security Numbers at Enrollment

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

F.A.C. 6A-1.09550

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 Annette Martinson on March 13, 2024

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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 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; 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. 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. 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;
4. 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;
5. 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.

6. 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.

7. 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.

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.
8. 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 management teams and active assailant response plans, include data from charter schools.

9. completing surveys provided by the Office of Safe Schools regarding Safe-School officer assignment;
10. 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.

Threat Management Coordinator

The Superintendent will designate a Threat Management Coordinator to oversee threat management at all public K-12 District schools, including charter schools sponsored by or under contract with the District, in accordance with the requirements set forth in Florida law and State Board of Education rules.

The Superintendent will report the name and contact information of the Threat Management Coordinator to the Office of Safe Schools by July 1, 2023. Any changes in the name and contact information of the Threat Management Coordinator will be updated with the Office of Safe Schools within one (1) school day of the change.

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 Management Teams

The purpose of the threat management 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 management 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.

Upon the availability of a State-wide behavioral threat management operational process developed pursuant to F.S. 1001.212.

Each school-based threat management 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 management 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 management 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 Management Teams

The responsibilities and activities of threat management 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. ~~upon the availability of the Florida specific behavioral threat assessment instrument developed pursuant to F.S. 1001.212,~~ all threat management teams shall use ~~that instrument~~ **the Florida Model Instrument** when evaluating the behavior of students who may pose a threat to the school, school staff, or students, and to coordinate intervention and services for such students;
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 management 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 management team that a student poses a threat of violence to himself/herself 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 management 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 management team of the receiving school independently determines the need for intervention services.

E. Threat Assessment Report

The threat management team shall prepare a threat assessment report ~~required by the Florida-specific behavioral threat assessment instrument developed pursuant to F.S. 1001.212~~ using the Florida Model Instrument. A threat assessment report, all corresponding documentation, and any other information required by the ~~Florida-specific behavioral threat assessment instrument~~ Florida Model Instrument in the threat management portal is an education record.

F. Behavior Threat Assessment Instrument Training

All threat management team members must be trained on the Comprehensive School Threat Assessment Guidelines (CSTAG) Florida Model Instrument 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.

G. 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: 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. The initial reporting period for the Florida Model Instrument will be from January 1-May 31, 2024, and information will be due by June 15, and annually thereafter for the preceding school year.

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.A.C. 6A-1.0019
	F.S. 1001.212
	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
	F.A.C. 6AER23-02

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Book	Policy Manual
Section	Vol. 24, No.2, Nov. 23 Revised
Title	EMERGENCY MANAGEMENT, EMERGENCY PREPAREDNESS, AND EMERGENCY RESPONSE AGENCIES
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8420 - **EMERGENCY MANAGEMENT, EMERGENCY PREPAREDNESS, AND EMERGENCY RESPONSE AGENCIES**

Emergency Management and Emergency Preparedness

The School Board recognizes that its responsibility for the safety of students and staff requires that it formulate and prescribe in consultation with appropriate public safety agencies emergency management and emergency preparedness procedures for all public schools in the District, including emergency notification procedures for life-threatening emergencies, including, but not limited, fires; natural disasters; bomb threats; weapon-use, hostage and active shooter situations; hazardous materials or toxic chemical spills; weather emergencies, including hurricanes, tornadoes, and severe storms; and exposure as a result of a manmade emergency and that such emergencies are best met by preparedness and planning.

Policies and procedures for emergency drills and fire drills shall be developed in consultation with the appropriate public safety agencies, including at a minimum, law enforcement, fire service, and emergency management.

The active shooter situation training for each school must engage the participation of the School Safety Specialist, threat assessment team members, faculty, staff, and students.

Pursuant to Policy 8405 - *School Safety and Security*, the Superintendent (in conjunction with the School Safety Specialist) shall develop, and revise as necessary, a School Safety Plan to provide for the safety and welfare of the students and staff, as well as a system of emergency preparedness and accompanying procedures that provide for the following:

- A. a listing of the commonly used alarm system response for specific types of emergencies and verification by each school that drills have been provided as required by law, State Board of Education rules and fire protection codes;
- B. the health and safety of students and staff are safeguarded;
- C. students are helped to learn self-reliance and trained to respond sensibly to emergency situations;
- D. the system is supported by ongoing training that will include practical application and appropriate "drills" as required by F.S. 1006.07;
- E. evacuation drills should represent actual emergencies, including, but not limited to a firearm, natural disasters, and bomb threats;
- F. emergency egress and relocation drills (including, but not necessarily limited to, fire drills) in accordance with the requirements of the Florida Fire Prevention Code, the Fire Code (NFPA 1), and the Life Safety Code (NFPA 101);

G. drills for active shooter and hostage situations must be conducted in accordance with developmentally appropriate and age-appropriate procedures as specified in State Board of Education rules;

H. law enforcement officers responsible for responding to the school in the event of an active assailant emergency, as determined necessary by the sheriff in coordination with the District's School Safety Specialist, must be physically present on campus and directly involved in the execution of active assailant drills; and

The District's School Safety Specialist must notify law enforcement officers at least twenty-four (24) hours before conducting an active assailant emergency drills at which such law enforcement officers are expected to attend.

I. floor plans of each school must be provided to all community emergency responders in support of evacuation procedures.

All threats to the safety of District facilities, students, and staff shall be identified by appropriate personnel and responded to promptly in accordance with the plan for emergency preparedness. Any aspect of the emergency preparedness plan and/or procedures that are included in the School Safety Plan shall remain confidential and exempt from public records disclosure in accordance with State law.

The Superintendent, as part of the development of the emergency preparedness plan and procedures, shall establish a schedule to test the functionality and coverage capacity of all emergency communication systems and determine if adequate signal strength is available in all areas of school campuses.

An after-action report must be completed following each emergency drill and fire drill. After-action reports must:

- A. identify the type of drill, location and date of the drill, participants, and involvement of law enforcement or other public safety agencies;
- B. describe actions taken by participants;
- C. analyze areas of success and areas where improvement is needed;
- D. include input from public safety agencies; and,
- E. include a plan for corrective action.

After-action reports must be submitted to the District school safety specialist for review fifteen (15) calendar days following completion of the drill.

Alyssa's Alert/Mobile Panic Alert System

In accordance with the requirements of F.S. 1006.07, the District shall implement a mobile panic alert system. The District will select a system under contract with FL DOE or procure a different system. The District will maintain current listings of mobile panic alert systems implemented by all public schools, including charter schools, within the District. Such list shall include the school name, address, and MSID number, and vendor or application implemented. The list will be provided to the Office of Safe Schools via e-mail by August 1, 2022, and will be updated within five (5) school days of a school opening or closing, or when any other change occurs that impacts the accuracy of District-provided information.

The District's mobile panic alert system will include mobile devices placed throughout each school campus. In determining the number and placement of devices needed to afford all staff members the ability to silently and easily activate a panic alert in the event of an on-campus emergency, the District will consider using a combination of fixed panic alert buttons, mobile and desktop applications, landline phone capabilities, and wearable panic alerts (such as on a lanyard).

The District's policies and procedures related to Alyssa's Alert/Mobile Panic Alert Systems will be developed in consultation with the County 911 authority and local emergency management office to ensure that the system integrates with local public safety answering point (PSAP) infrastructure to transmit calls and mobile activations.

List of Emergency Response Agencies

The primary emergency response agencies that are responsible for notifying the District for each type of emergency are as follows:

A. Fires:

Hernando County Sheriff's Office Dispatch Center

B. Natural Disasters:

Hernando County Emergency Management Office

C. Bomb Threats:

Hernando County Sheriff's Office Dispatch Center

D. Weapon-Use, Hostage, and Active Shooter Situations:

Hernando County Sheriff's Office Dispatch Center

E. Hazardous Materials or Toxic Chemical Spills:

Hernando County Sheriff's Office Dispatch Center

F. Weather Emergencies, Including Hurricanes, Tornadoes, and Severe Storms:

Hernando County Emergency Management Office

G. Exposure as a Result of a Manmade Emergency:

Hernando County Emergency Management Office

In accordance with notification procedures adopted by the Superintendent, timely notification will be provided to the parents/guardians of District students who are likely to be impacted by critical incidents, threats, unlawful acts and significant emergencies that occur on school grounds, while using school transportation, or during school-sponsored activities.

Individuals who have authority to enact emergency procedures such as fire alarm or active threat on campus include any and all employees of the District (i.e., District staff, principals and administrators, teachers, school-based and District support staff), and/or emergency first responders (e.g., law enforcement and fire rescue personnel).

The individual(s) responsible for contacting the primary emergency response agencies listed above are as follows:

A. Director of Safe Schools;

B. Fire Official/Plans Examiner;

C. Assistant Superintendent of Business Services and Operations;

D. Principals and administrators;

E. teachers and staff.

The information in this section shall be part of the School Safety and Security Plan, and, therefore, confidential.

Revised 8/27/19

Revised 3/8/22

Revised 12/13/22

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Legal

Florida Fire Prevention Code (F.S. 633.202)

F.S. 1001.43

F.S. 1006.07

F.S. 1013.13

Fire Code (NFPA 1)

Life Safety Code (NFPA 101)

F.A.C. 6A-1.0018

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8600 - **TRANSPORTATION**

It is the policy of the School Board to provide transportation for those students whose distance from their school makes this service necessary within the limitations established by State law and the regulations of the State of Florida. Such laws and rules shall govern any question not covered by this policy.

Provisions for reciprocal agreements with contiguous school districts for school bus and other Board-approved vehicle transportation services, inspections, and screening requirements shall be in accordance with Florida statute.

School buses shall be purchased, housed, and maintained by the District for the transportation of resident students between their home areas and the schools of the District to which they are assigned.

Students living more than two (2) miles from their home school will be eligible for District-provided bus transportation. Students who attend school out of their home school zone will not be eligible for District-provided transportation. Students shall board the bus at the nearest designated stop and will not enter or leave the bus at any other designated stop, except upon approval of the principal or principal's designee.

Students living within two (2) miles of school may be provided District bus transportation under the following conditions:

- A. Permanently disabled students whose Individual Education Plan requires special transportation.
- B. Temporarily disabled students upon request and verification of disability and length of time of disability.
- C. Students whose walking routes to school meet the State criteria for hazardous walking conditions.

F.S. 1006.23 requires the Board and other governmental entities work cooperatively to identify conditions that are hazardous along student walking routes to school and requires such condition shall be inspected by a representative of the School District and a representative of the State or local governmental entity that has jurisdiction over the perceived hazardous location. If it is determined that the condition meets the criteria established in State law for hazardous walking conditions, the Board shall provide transportation to students who would be subjected to such conditions. State law further requires State or local governmental entities having jurisdiction to correct such hazardous conditions within a reasonable period of time. The Board and Superintendent shall follow State law with respect to correcting hazardous walking conditions.

- D. Elementary students residing within two (2) miles of their school may be provided bus transportation at the discretion of the Director of Transportation. This transportation will only be provided if seats are available on existing buses serving the school and the student gets to an established bus stop.

Students eligible for transportation who are beyond the accessibility of school bus transportation shall be provided isolated transportation by payment to the parent of an amount established by the Board. Payment of the amount established will be based upon the date of the application or the date the service began whichever occurred first during the current attendance reporting period.

Parents of students who become or are determined to be non-eligible for school bus transportation shall be notified in writing. The student will be allowed to ride the bus for a minimum of three (3) additional days depending on the circumstances of the non-eligibility. If the student was riding the school bus illegally, removal from the bus will be immediate.

Bus routes shall be established so that an authorized bus stop is available within reasonable walking distance of the home of every resident student entitled to transportation services. The Board shall approve the bus routes annually. The Superintendent is authorized to make any necessary changes in the approved route.

The Board authorizes the installation and use of video recording devices in the school buses to assist the drivers in providing for the safety and well-being of the students while on a bus.

The Superintendent shall comply and require the compliance by the Director of Transportation, Principals, and bus drivers with State Board of Education Rules governing transportation, which are found in F.A.C. Chapter 6A-3, and shall take steps necessary so that the Director of Transportation, bus drivers, principals, and parents are fully and timely informed of their respective powers and responsibilities thereunder.

The Superintendent shall require that bus operators, and attendants if used, be instructed as to their responsibilities for students who are transported at public expense as follows:

- A. The operator or attendant of a bus transporting students shall remain with the bus so that students aboard will be under supervision at all times, except to call for assistance in case of an emergency or accident involving the students or bus.
- B. In cases where a student with physical disabilities is unable to leave the area of a student stop without assistance, the school bus operator shall not assume responsibility for such assistance except in an emergency that threatens the safety of such student or students.
- C. The operator and attendant (if used) shall be provided certified cardiopulmonary resuscitation (CPR) and first aid training along with other required pre-service training prior to transporting students, and shall receive CPR and first aid refresher in-service training at least biennially; however, the operator and attendant (if used) shall not give medicine and shall limit his/her assistance to that which may normally be expected of a reasonable, prudent person or as specified in the student's Individual Educational Plan or Individualized Seizure Action Plan.
- D. Instruct the operator and attendant (if used) in procedures to be followed in conducting school bus emergency evacuation drills and confer with each Principal regarding scheduling, conducting and documenting school bus evacuation drills. These procedures shall include a requirement that all operators of school buses transporting students, teachers, or chaperones on field and activity trips instruct all passengers in the locations and proper use of school bus emergency exits prior to each such trip.
- E. Parents are to be present for their students in PK-grade 2 or have an adult or older sibling listed on the child's bus registration card designated to be present at the stop. If the person designated is an older sibling then the parent(s)/guardian(s) must send in a letter authorizing this action.
- F. School bus operators and attendants (if used) shall receive information regarding each affected student's Individualized Seizure Action Plan and appropriate training regarding how to provide recommended care if the student shows symptoms of the epilepsy or seizure disorder, in accordance with F.S. 1006.062. The student's parent and emergency contact information will also be provided to bus operators and attendants.

The Superintendent shall require that bus operators and attendants are provided instructions, in writing, as to any special conditions or non-medical care which a student may need while on the bus.

Further, the Superintendent shall require the Director of Transportation to consider the knowledge, skills, and abilities related to student management techniques, as well as the characteristics of students with disabilities, when selecting or assigning operators and attendants for routes serving ESE students.

Parents, guardians, and students shall be informed at least annually in writing of their responsibilities for the following:

- A. to ensure the safe travel of their students during the portions of each trip to and from school and home when the students are not under the custody and control of the District, including during each trip to and from home and the assigned bus stop when the District provides bus transportation;
- B. to ensure that students ride only on their assigned school buses and get off only at assigned bus stops, except when the District has approved, upon the request of the parent or guardian, alternative buses or arrangements;
- C. to ensure students are aware of and follow the District's adopted Code of Student Conduct while the students are at school bus stops and provide necessary supervision during times when the bus is not present;
- D. to ensure that, when the physical disability of the student renders the student unable to get on and off the bus without assistance, the parent or guardian provides the necessary assistance to help the student get on and off at the bus stop, as required by District policy or the student's individual educational plan.

School Bus Infraction Detection Systems

Consistent with F.S. 316.173 and based solely on the need to increase public safety, the Board operates a school bus infraction detection system on all school buses in the District for the purpose of enforcing F.S. 316.172(1)(a) and (b). No individual is permitted to receive a commission from any revenue collected from violations detected through the use of the District's system. In the event the District contracts with a vendor or manufacturer to install a school bus infraction detection system on any school bus or operate and maintain the system, such vendor or manufacturer is not permitted to receive a fee or remuneration based upon the number of violations detected through the use of a school bus infraction detection system.

The Board shall enter into an interlocal agreement with one or more law enforcement agencies authorized to enforce violations of F.S. 316.172(1)(a) and (b) within the District which jointly establishes the responsibilities of enforcement and the reimbursement of costs associated with school bus infraction detection systems consistent with F.S. 316.173.

All school bus infraction detection systems shall meet specifications established by the State Board of Education and will be tested at regular intervals according to specifications prescribed by State Board rule.

[x] A school bus equipped with a school bus infraction system must meet the following specifications as set forth in F.A.C. 6A-3.003:

- A. the system shall be comprised of two (2) or more cameras affixed to a school bus that meets all of the following requirements:
 - 1. Is synchronized to automatically record video or one or more sequenced photographs of a vehicle failing to stop for a school bus in violation of F.S. 316.172;
 - 2. Is capable of capturing images of:
 - a. The left and right side of the school bus documenting a vehicle illegally passing the stopped school bus from either direction beginning when the vehicle is no less than two-hundred (200) feet from the school bus; and,
 - b. The license plate on the rear of the vehicle.
 - 3. Is capable of capturing a record of the following:
 - a. The date, time and GPS location of the violation;
 - b. The status of the school bus' eight-way student warning light system at the time of the violation; and,
 - c. The date stamp documenting the latest system self-test conducted on the School Bus Infraction Detection System.
- B. The school bus infraction detection systems must perform a self-test no less than once every thirty (30) days and be tested by a licensed technician at least once a year.
- C. Images and data recorded by the system will not identify or depict any student unless the student is the operator of a vehicle failing to stop for a school bus in violation of F.S. 316.172.

Signage on School Buses

Any school bus with an operational infraction detection system will include high-visibility reflective signage on the rear of the bus. The signage must be in the form of one or more signs or stickers and must contain the following elements in substantially the following form:

- A. the words "STOP WHEN RED LIGHTS FLASH" or "DO NOT PASS WHEN RED LIGHTS FLASH";
- B. the words "CAMERA ENFORCED"; and,
- C. a graphic depiction of a camera.

The signage must occupy at least seventy-five percent (75%) of the available space that does not contain signs or insignia that are required by other applicable law or by the State Board of Education.

Notice to the Public

The District will make a public announcement and conduct a public awareness campaign of the proposed use of school bus infraction detection systems at least 30 days before commencing enforcement under the school bus infraction detection system program and notify the public of the specific date on which the program will commence. During the thirty (30) day public awareness campaign, only a warning may be issued to the registered owner of a motor vehicle for a violation F.S. 316.172(1)(a) or (b) enforced by a school bus infraction detection system, and a civil penalty may not be imposed F.S. Chapter 318.

Violations

Within thirty (30) days after an alleged violation of F.S. 316.172(1)(a) or (b) is recorded by a school bus infraction detection system, the District or its private vendor or manufacturer must submit the following information to a law enforcement agency that has entered into an interlocal agreement with the District pursuant to this policy and has traffic infraction enforcement jurisdiction at the location where the alleged violation occurred:

- A. a copy of the recorded video and images showing the motor vehicle allegedly violating F.S. 316.172(1)(a) or (b);
- B. the motor vehicle's license plate number and the state of issuance of the motor vehicle's license plate; and,
- C. the date, time, and location of the alleged violation.

Videos and Images of Alleged Infractions

Notwithstanding any other law, equipment deployed as part of a school bus infraction detection system will not be capable of automated or user-controlled remote surveillance. Video and images recorded as part of the school bus infraction detection system may only be used to document violations of F.S. 316.172(1)(a) and (b) and may not be used for any other surveillance purposes. To the extent practicable, a school bus infraction detection system will utilize necessary technology so that personal identifying information contained in the video or still images recorded by the system which is not relevant to the alleged violation, including, but not limited to, the identity of the driver and any passenger of a motor vehicle, the interior or contents of a motor vehicle, the identity of an uninvolved person, a number identifying the address of a private residence, and the contents or interior of a private residence, is sufficiently obscured so as not to reveal such personal identifying information.

Any recorded video or still image obtained through the use of a school bus infraction detection system must be destroyed within ninety (90) days after the final disposition of the recorded event. The vendor of the school bus infraction detection system must provide the District with written notice by December 31st of each year that such records have been destroyed in accordance with F.S. 316.173.

Quarterly Reporting to the Florida Department of Education

By October 1, 2023, and quarterly thereafter, the District, in consultation with the law enforcement agencies with which it has interlocal agreements pursuant to this policy, will submit a report to the Florida Department of Education which details the results of the school bus infraction detection systems in the District in the preceding quarter. The report will contain the information required in F.S. 316.173. The District will maintain its respective data for reporting purposes for at least two (2) years after such data is reported to the Florida Department of Education.

Revised 7/25/23

Revised 12/12/23

Legal	F.S. 316.183(3)
	F.S. 316.217(1)(b)
	F.S. 1006.21
	F.S. 1006.22
	F.S. 1006.23
	F.S. 1011.68
	F.S. 1012.45
	F.A.C. Chapter 6A-3
	F.S. 316.173
	F.A.C. 6A-3.003

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