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Book	Policy Manual
Section	Vol. 22, No. 1, Sept. 2021
Title	REVISED POLICY - VOL. 22, NO. 1 - VIDEO SURVEILLANCE AND ELECTRONIC MONITORING
Code	po7440.01
Status	From Neola
Adopted	February 9, 2021
Last Revised	June 8, 2021

REVISED POLICY - VOL. 22, NO. 1

7440.01 - VIDEO SURVEILLANCE AND ELECTRONIC MONITORING

The School Board authorizes the use of video surveillance and electronic monitoring equipment at various school sites throughout the District and on school buses. The video surveillance/electronic monitoring equipment shall be used to protect Board property and assets from theft and vandalism, through deterrence and video documentation. The system is not designed nor intended to protect individuals from being victims of violent or property crimes, nor to detect other potentially illegal and undesirable activities that may occur, although information may be used as evidence in such cases.

The monitoring of actions and behavior of individuals who come onto school property is a significant factor in maintaining order and discipline. Video surveillance/electronic monitoring systems serve to complement other means being employed in the District to promote and foster a safe and secure teaching and learning environment for students and staff. The Board recognizes that the use of a video surveillance/electronic monitoring system does not replace the need for the ongoing vigilance of designated school staff to monitor and supervise the school building; rather, the video surveillance/electronic monitoring system serves as an appropriate and useful tool with which to augment or support the in-person supervision provided by staff. The principal is responsible for verifying that due diligence is observed in maintaining general campus security.

The Superintendent is responsible for determining where to install and operate fixed-location video surveillance/electronic monitoring equipment in the District. The determination of where and when to use video surveillance/electronic monitoring equipment will be made in a nondiscriminatory manner. Any person who takes action to block, move, or alter the location and/or viewing angle of a video camera shall be subject to disciplinary action.

Any information obtained from video surveillance/electronic monitoring systems may only be used to support the orderly operation of the School District's schools and facilities, and for law enforcement purposes, and not for any other purposes. As such, recordings obtained through the use of video surveillance/electronic monitoring equipment may be used as evidence in any disciplinary proceedings, administrative proceeding or criminal proceeding, subject to Board policy and regulations. Further, such recordings may become a part of a student's education record or staff member's personnel file. The Board will not use video surveillance/electronic monitoring equipment to obtain information for the purpose of routine staff appraisal/evaluation or monitoring. However, prerecorded lessons or observations of on-line or virtual learning sessions may be included as part of an employee's evaluation in accordance with an applicable collective bargaining agreement or Memorandum of Understanding approved by the Board.

Ordinarily, video surveillance/electronic monitoring equipment will not be used to make an audio recording of conversation occurring on school grounds or property where individuals have a reasonable expectation of privacy; however, notice shall be given to all individuals present on the grounds of a school site or on a school bus that their conversations may be recorded through the video surveillance/electronic monitoring equipment and, as a result, individuals on the grounds of a school site or on a school bus should not have an expectation that their conversations will remain private.

Under Florida law, parents have the right to give their consent in writing before a school employee makes a video or voice recording of their minor child, unless the recording is used solely for the following:

- A. a safety demonstration, including the maintenance of order and discipline in the common areas of a school or on student transportation vehicles;
-
- B. a purpose related to a legitimate academic or extra-curricular activity;
-

- C. a purpose related to regular classroom instruction;
- D. security or surveillance of buildings or grounds; or
- E. a photo identification card.

(See also Policy 2461 - Recording of IEP Team Meetings)

Recordings of students will be treated as confidential. Consequently, because the Board is bound by Florida's Public Records Act and the Family Educational Rights and Privacy Act (FERPA), copies of video recordings containing personally identifiable information about students shall not be released except to school officials with legitimate educational interests. Parents or guardians of minor students, and students who are eighteen (18) years of age or older, who are charged with disciplinary violations may view relevant portions of any video recording related to the charge, upon written request to the principal, provided that viewing the recording does not violate State and/or Federal law (i.e., the privacy rights of any other students whose images appear on the recording). Likewise, school personnel may view relevant portions of any video relating to any disciplinary charge against them, upon written request to the building principal, provided that viewing the recording does not violate State and/or Federal law (i.e., the privacy rights of any students whose images appear on the recordings). Otherwise, such confidential recordings shall only be released as authorized under or required by State and Federal laws.

Video surveillance/electronic monitoring recordings may be retained beyond the retention period required by law if they are going to be utilized for training purposes or as required by law pursuant to Policy 8315 - Information Management and Administrative Procedure 8315 - Litigation Hold Procedure. This policy does not address or cover instances where school officials record a specific event (e.g., a play, music performance, athletic contest, graduation, or Board meeting) or an isolated instance where a classroom is videotaped for educational or research purposes. Authorized videotaping for educational, instructional and/or research purposes is permitted and is not addressed by this policy.

Video surveillance is to be implemented in accordance with this policy and the related administrative procedures. The Board will not accept or tolerate the improper use of video surveillance/electronic monitoring equipment and will take appropriate action in any cases of wrongful use of this policy.

Periodically, the Superintendent shall conduct a review to verify that this policy and its implementing procedures are being adhered to and report to the Board on the use of video surveillance/electronic monitoring equipment in the District.

F.S. 1014.04

F.A.C. 1B-24.003(1)(a)

Title I of the Electronic Communication Privacy Act of 1986

18 U.S.C. 2510

18 U.S.C. 2511

18 U.S.C. 2512

18 U.S.C. 2513

18 U.S.C. 2515

18 U.S.C. 2516

18 U.S.C. 2517

18 U.S.C. 2518

18 U.S.C. 2519

18 U.S.C. 2520

18 U.S.C. 2521

20 U.S.C. 1232g

34 C.F.R. 99.1-99.67

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Legal

F.S. 1014.04

F.A.C. 1B-24.003(1)(a)

Title I of the Electronic Communication Privacy Act of 1986

18 U.S.C. 2510

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18 U.S.C. 2516

18 U.S.C. 2517

18 U.S.C. 2518

18 U.S.C. 2519

18 U.S.C. 2520

18 U.S.C. 2521

20 U.S.C. 1232g

34 C.F.R. 99.1-99.67

Last Modified by Frankie St James on October 1, 2021

Book	Policy Manual
Section	Vol. 22, No. 1, Sept. 2021
Title	REVISED POLICY - VOL. 22, NO. 1 - MANDATORY REPORTING OF MISCONDUCT
Code	po8141
Status	From Neola
Adopted	April 12, 2016
Last Revised	February 9, 2021

REVISED POLICY - VOL. 22, NO. 1

8141 - MANDATORY REPORTING OF MISCONDUCT

The School Board recognizes its responsibilities to effectively address employee misconduct and, where determined appropriate, to provide a measured disciplinary response consistent with due process.

For purposes of this policy, the term "employee(s)" ☐ includes instructional personnel, educational support personnel, administrative personnel, and school officers as those terms are defined in F.S. 1012.01 **[END OF OPTION]** ☐ all employees of the District and school officers as defined in F.S. 1012.01 **[END OF OPTION]**.

Reporting Misconduct

All employees are required to report to the Superintendent alleged misconduct by District employees which affects the health, safety, or welfare of a student, including misconduct that involves engaging in or soliciting sexual, romantic, or lewd conduct with a student, including misconduct that involves engaging in or soliciting sexual, romantic, or lewd conduct with a student.

☐ In matters involving alleged misconduct, no other employee will be designated to receive such a report.

If the alleged misconduct to be reported is regarding the Superintendent, the District employee shall report the alleged misconduct to the Board attorney. Failure to report such alleged misconduct shall result in appropriate disciplinary action (F.S. 1012.796(d)). The report shall be made in accordance with Policy 9130 - Public Complaints.

The Superintendent shall investigate any allegation of misconduct by District employees which affects the health, safety, or welfare of a student, including misconduct that involves engaging in or soliciting sexual, romantic, or lewd conduct with a student, and shall report the alleged misconduct to the Department of Education as required in F.S. 1012.796, 1001.51(12)(b), 1001.42(7)(b), and must notify the Florida Department of Education of the result of the investigation and whether the misconduct warranted termination, regardless of whether the person resigned or was terminated before the conclusion of the investigation.

The Superintendent shall report to law enforcement agencies with jurisdiction any misconduct that would result in disqualification from educator certification or employment as set forth in F.S. 1012.315.

Staff alleged to have committed such misconduct shall be reassigned pending the outcome of a misconduct investigation.

Parental Notification of Alleged Misconduct

Within thirty (30) days of the date on which the District learns of misconduct by () instructional personnel, educational support personnel, and school administrators **[END OF OPTION]** () any employee of the District **[END OF OPTION]** ~~that~~ which affects the health, safety, or welfare of a student, including misconduct that involves engaging in or soliciting sexual, romantic, lewd conduct with a student, or any conduct that would result in disqualification from educator certification or employment as provided in F.S. 1012.315, the parent of a student who was subjected to or affected by such misconduct shall receive written notification informing the parent of the following:

- A. the alleged misconduct, including which allegations have been substantiated, if any;
- B. whether the District reported the misconduct to the FLDOE if required by F.S. 1012.796;

C. the sanctions imposed by the District against the employee, if any; and

D. support the District will make available to the student subjected to or affected by the misconduct.

Parental notification shall be provided consistent with the provisions set forth in Policy 1590, Policy 3590, and Policy 4590, including the statutory requirement that school administrators, educational support personnel, and instructional staff members be provided ten (10) days notice before the disclosure of derogatory material.

Filing a Complaint with the Department of Education

If it is alleged that an instructional staff member, educational support personnel, or administrator has committed a violation as provided in F.S. 1012.795, and defined by rule of the State Board of Education, the Superintendent shall file with the Department of Education a legally sufficient complaint within thirty (30) days after the date on which the subject matter of the complaint came to the attention of the Superintendent, regardless of whether the subject of the complaint is still an employee of the District. A complaint is legally sufficient if it contains ultimate facts that show a violation has occurred as provided in F.S. 1012.795 and defined by rule of the State Board of Education. The Superintendent shall include all known information relating to the complaint with the filing of the complaint. This paragraph does not limit or restrict the power and duty of the Department of Education to investigate complaints, regardless of the District's untimely filing, or failure to file, complaints and follow-up reports (F.S. 1012.796(e)).

Report of Resignation or Termination

If the Superintendent determines that a legally sufficient complaint of misconduct by an instructional staff member or an administrator who holds a certificate issued by the Florida Department of Education, or by any educational support personnel that affects the health, safety, or welfare of a student and the misconduct warrants termination, the staff member may resign or be terminated and the Superintendent must immediately report the misconduct to the Department of Education in the format prescribed by the Department even if the instructional staff member, educational support personnel, or administrator resigns or is terminated before the conclusion of the District's investigation. The Department shall maintain each report of misconduct as a public record in the instructional personnel's certification files (F.S. 1012.796(d)).

Transmittal of False or Incorrect Report

The Superintendent shall not knowingly sign and transmit to any State official a report that the Superintendent knows to be false or incorrect.

The superintendent may not knowingly sign and transmit to any State official a report that the superintendent knows to be false or incorrect or knowingly fail to complete the investigation of any allegation of misconduct, that affects the health, safety, or welfare of a student, that would be a violation of F.S. 800.101 or that would be a disqualifying offense under F.S. 1012.315, or any allegation of sexual misconduct with a student. The superintendent may not knowingly fail to report the alleged misconduct to the Florida Department of Education as required in F.S. 1012.796, or knowingly fail to report misconduct to the law enforcement agencies with jurisdiction over the conduct pursuant to Board policy under F.S. 1001.42.

Pursuant to F.S. 1001.42(7), a Board member may not knowingly sign and transmit to any State official a report of alleged misconduct by instructional personnel, educational support personnel, or school administrators which affects the health, safety, or welfare of a student which the Board member knows to be false or incorrect.

Requirement of Disclosure of Employee Misconduct

The Board, Superintendent, or any other District employee, may not enter into a confidentiality agreement regarding terminated or dismissed instructional personnel, educational support personnel, or school administrators, or personnel or administrators who resign in lieu of termination, based in whole or in part on misconduct that affects the health, safety, or welfare of a student, and may not provide instructional or educational support personnel, or administrators with employment references or discuss the personnel's performance with prospective employers in another educational setting, without disclosing the personnel's or administrators' misconduct. Any part of an agreement or contract that has the purpose or effect of concealing misconduct by instructional or educational support personnel or administrators that ~~which~~ affects the health, safety, or welfare of a student is void, is contrary to public policy, and may not be enforced (F.S. 1001.42(6)).

Posting Requirements

Pursuant to F.S. 1006.061(2), this policy shall be posted in a prominent place at each school site and on each school's internet website, so that the policy and procedures for reporting alleged misconduct by instructional or educational support personnel or school administrators ~~that~~ ~~which~~ affects the health, safety, or welfare of a student; the contact person to whom the report is made; and the penalties imposed on instructional or educational support personnel or school administrators who fail to report suspected or actual child abuse or alleged misconduct by other instructional or educational support personnel or school administrators is effectively communicated to all.

Liability

Employees who report misconduct which affects the health, safety, or welfare of a student may be entitled to certain statutory liability protections as set forth in F.S. 39.203 and 768.095.

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Legal	F.S. 1001.42(6)
	F.S. 1001.42(7)(b)
	F.S. 1001.51(12)(b)
	F.S. 1006.061(2)
	F.S. 1012.795
	F.S. 1012.796
	F.S. 1012.796(d)
	F.S. 1012.796(e)

Last Modified by Frankie St James on October 1, 2021

Book	Policy Manual
Section	Vol. 22, No. 1, Sept. 2021
Title	REVISED POLICY - VOL. 22, NO. 1 - PUBLIC RECORDS
Code	po8310
Status	From Neola
Adopted	April 12, 2016

REVISED POLICY - VOL. 22, NO. 1

8310 - PUBLIC RECORDS

The School Board recognizes its responsibility to maintain the public records of this District and to make such records available for inspection and reproduction.

Exemptions from Public Records

Public records generally means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business of the School Board. Due to the growing number of exemptions set forth in Florida law, it is impracticable for the School Board to provide an all-inclusive list of every document that may be exempt from the definition of public records. However, public records do not typically include student records, examination and assessment instruments, medical records, documents containing genetic information, trial preparation records, and confidential law enforcement investigatory records, all of which are exempt from public disclosure. The determination of whether a particular document is exempt will be made upon receipt of a request for release of said document as a public record.

Personally identifiable information of a dependent child of a current or former officer or employee of the School District, who is insured by a group insurance plan provided by the District, is also exempt from public records requirements as set forth in the State Constitution and State statutes. This exemption applies to all personally identifiable information held by the District.

Further, the home addresses, telephone numbers, dates of birth, and photographs of current or former human resource, labor relations, or employee relations directors, assistant directors, managers, or assistant managers whose duties include hiring and firing employees, labor contract negotiations, administration, or other personnel-related duties, as well as the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel, and the names and locations of schools and day care facilities attended by the children of such personnel, are exempt from F.S. 119.07(1) and Section 24(a), Article 1 of the State Constitution.

The identity of a school or postsecondary educational institution, the personally identifiable information of any District personnel, or any specific allegations of misconduct obtained or reported pursuant to an investigation of a testing impropriety conducted by the Department of Education are confidential and exempt from the constitutional public records provisions until the conclusion of the investigation or until such time as the investigation ceases to be active.

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

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

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

- A. by certified mail, return receipt requested, to his/her address of record; or

- B. by personal delivery. The employee's signature on a copy of the materials to be filed shall be proof that such materials were given to the employee, with the understanding that such signature merely signifies receipt and does not necessarily indicate agreement with its contents.

Access to Public Records

Pursuant to State law, the Superintendent shall appoint a Records Management Liaison Officer (RMLO), who shall serve as the primary point of contact between the District and the Division of Library and Information Services of the Florida Department of State, which is the agency responsible for the State's records management program. The Superintendent may also appoint a Custodian of Records for the District who shall be responsible for implementing the requirements in State law and the State's records management program regarding the public records maintained by the District.

Any individual may inspect and request copies of public records of this District during the regular business hours of the office in which such records are maintained. The District may not require requests for public records to be in writing, nor may the person requesting the information be required to disclose the name, address, or phone number unless specifically required to do so by law. The () **Superintendent () Custodian of Records** is authorized to grant or refuse access to the records of this District in accordance with the intent of this policy and applicable law.

Every person who has custody of a public record shall permit the record to be inspected and copied by any person desiring to do so, at any reasonable time, under reasonable conditions, and under the supervision of the custodian of public records.

A District employee who has custody of public records may designate another District employee to permit the inspection and copying of public records but must disclose the identity of the designee to the person requesting to inspect or copy the public records.

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

A custodian of public records and/or his/her designee must promptly acknowledge, in writing, requests to inspect or copy records promptly and respond to such requests in good faith. A good faith response includes making reasonable efforts to determine from other officers or employees of the School District whether such a record exists, and, if so, the location at which the record can be accessed. Upon determination that the requested record exists, it must be reviewed to determine whether it contains any information that would be statutorily exempt from public inspection or copying as provided by law. See Policy 8350 – Confidentiality.

Duplicated copies or certified copies of the District's public records shall be provided upon payment of the appropriate fee set forth in the Florida statutes. If the nature or volume of the public records requested will require extensive use of information technology resources or more than fifteen (15) minutes of clerical or supervisory assistance by District personnel, a special service charge attributable to the extensive use of the information technology resources and/or the labor cost of the personnel providing the service will be collected as permitted by State law.

In addition, the actual cost of duplication will be collected for copies of the District's public records in a form other than a duplicated copy. The special service charge will also be collected if the requested copies of the public records in a form other than duplicated copy will require extensive use of information technology resources or more than fifteen (15) minutes of clerical or supervisory assistance by District personnel as permitted by State law.

If the request for copies of a public record in any form could result in the collection of a special service charge, an estimate of the fee that will be due and payable shall be provided to the requestor. The duplication of the requested records will commence upon payment of the estimated fee by the requestor.

No public record may be removed from the office in which it is maintained, except by a Board employee in the course of the performance of his/her duties.

All District records will be maintained in accordance with general records schedules GS1-SL and GS7, as established by the Department of State.

F.S. Chapter 119

F.S. 119.071(2)(k)

F.S. 257.36(5)(a)

F.S. 286.011

F.S. 1002.221

F.S. 1003.25(1)

F.S. 1008.23

20 U.S.C. 1232g

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

29 C.F.R. Part 1635

Article I, Section 24, State Constitution

F.A.C. 1B-24.001
F.A.C. 1B-24.003
F.A.C. 1B-26.0021
F.A.C. 1B-26.003

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Legal	F.S. Chapter 119
	F.S. 119.071(2)(k)
	F.S. 257.36(5)(a)
	F.S. 286.011
	F.S. 1002.221
	F.S. 1003.25(1)
	F.S. 1008.23
	20 U.S.C. 1232g
	42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
	29 C.F.R. Part 1635
	Article I, Section 24, State Constitution
	F.A.C. 1B-24.001
	F.A.C. 1B-24.003
	F.A.C. 1B-26.0021
	F.A.C. 1B-26.003

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Book	Policy Manual
Section	V22 N1 REVISED
Title	PUBLIC RECORDS
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Status	
Adopted	April 12, 2016

8310 - PUBLIC RECORDS

The Governing Board recognizes its responsibility to maintain the public records of this Authority and to make such records available for inspection and reproduction.

Exemptions from Public Records

"Public records" generally means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business of the Board. Due to the growing number of exemptions set forth in Florida law, it is impracticable for the Board to provide an all-inclusive list of every document that may be exempt from the definition of "public records". However, "public records" do not typically include student records, examination and assessment instruments, medical records, documents containing genetic information, trial preparation records, and confidential law enforcement investigatory records, all of which are exempt from public disclosure. The determination of whether a particular document is exempt will be made upon receipt of a request for release of said document as a public record.

Personally identifiable information of a dependent child of a current or former officer or employee of the Authority, who is insured by a group insurance plan provided by the Authority, is also exempt from public records requirements as set forth in the State Constitution and State statutes. This exemption applies to all personally identifiable information held by the Authority.

Further, the home addresses, telephone numbers, dates of birth, and photographs of current or former human resource whose duties include hiring and firing employees, administration, or other personnel-related duties, as well as the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel, and the names and locations of schools and day care facilities attended by the children of such personnel, are exempt from F.S. 119.07(1) and Section 24(a), Article 1 of the State Constitution.

The identity of a school or postsecondary educational institution, the personally identifiable information of any Authority personnel, or any specific allegations of misconduct obtained or reported pursuant to an investigation of a testing impropriety conducted by the Department of Education are confidential and exempt from the constitutional public records provisions until the conclusion of the investigation or until such time as the investigation ceases to be active.

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

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

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

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

Access to Public Records

Pursuant to State law, the Superintendent shall appoint a Records Management Liaison Officer (RMLO), who shall serve as the primary point of contact between the Authority and the Division of Library and Information Services of the Florida Department of State, which is the agency responsible for the State's records management program. The Superintendent may also appoint a Custodian of Records for the Authority who shall be responsible for implementing the requirements in State law and the State's records management program regarding the public records maintained by the Authority.

Any individual may inspect and request copies of public records of this Authority during the regular business hours of the office in which such records are maintained. The Authority may not require requests for public records to be in writing, nor may the person requesting the information be required to disclose name, address, or phone number unless specifically required to do so by law. The Superintendent is authorized to grant or refuse access to the records of this Authority in accordance with the intent of this policy and applicable law.

Every person who has custody of a public record shall permit the record to be inspected and copied by any person desiring to do so, at any reasonable time, under reasonable conditions, and under supervision of the custodian of public records.

An Authority employee who has custody of public records may designate another Authority employee to permit the inspection and copying of public records, but must disclose the identity of the designee to the person requesting to inspect or copy the public records.

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

A custodian of public records and/or his/her designee must promptly acknowledge, in writing, requests to inspect or copy records promptly and respond to such requests in good faith. A good faith response includes making reasonable efforts to determine from other officers or employees of the Authority whether such a record exists, and, if so, the location at which the record can be accessed. Upon determination that the requested record exists, it must be reviewed to determine whether it contains any information that would be statutorily exempt from public inspection or copying as provided by law. See Policy 8350 – Confidentiality.

Duplicated copies or certified copies of the Authority's public records shall be provided upon payment of the appropriate fee set forth in the Florida statutes. If the nature or volume of the public records requested will require extensive use of information technology resources or more than fifteen (15) minutes of clerical or supervisory assistance by Authority personnel, a special service charge attributable to the extensive use of the information technology resources and/or the labor cost of the personnel providing the service will be collected as permitted by State law.

In addition, the actual cost of duplication will be collected for copies of the Authority's public records in a form other than a duplicated copy. The special service charge will also be collected if the requested copies of the public records in a form other than duplicated copy will require extensive use of information technology resources or more than fifteen (15) minutes of clerical or supervisory assistance by Authority personnel as permitted by State law.

If the request for copies of a public record in any form could result in the collection of a special service charge, an estimate of the fee that will be due and payable shall be provided to the requestor. The duplication of the requested records will commence upon payment of the estimated fee by the requestor.

No public record may be removed from the office in which it is maintained, except by a Board employee in the course of the performance of his/her duties.

All Authority records will be maintained in accordance with general records schedules GS1-SL and GS7, as established by the Department of State.

Legal

29 C.F.R. Part 1635

F.S. Chapter 119, 119.071(2)(k), 257.36(5)(a)), 286.011, 1002.221

F.S. 1003.25(1)

20 U.S.C. 1232g

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

Article I, Section 24, State Constitution

F.A.C. 1B-24.001, 1B-24.003, 1B-26.0021, 1B-26.003

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REVISED POLICY - VOL. 22, NO. 1

8330 - STUDENT RECORDS

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

Maintenance of Student Records

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

Each school shall maintain a permanent cumulative record for each student enrolled in the school which shall contain the data as prescribed by Administrative Rule F.A.C. 6A-1.0955 and this policy. Each student's cumulative record shall include the following types of data:

A. Category A Records, Permanent Information

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

B. Category B Records, Temporary Information

1. Health information, family background data, standardized test scores, State-mandated achievement test scores, educational and vocational plans, honors and activities, work experience reports, and teacher/counselor comments.
2. Reports of student services or exceptional student staffing committees including all information required by F.S. 1001.42.

3. Correspondence from community agencies or private professionals.
4. Driver education certificate.
5. A list of schools attended.
6. Written agreements of corrections, deletions, or expunctions as a result of meetings or hearings to amend educational records.
7. Written requests to waive access to confidential records.
8. Written requests to restrict the release of directory information.
9. Court orders of relevance.
10. Records of major student disciplinary actions, suspension, and/or expulsion records.
11. Home language survey.
12. Student Limited English Proficiency (LEP) Plans.
13. Such other records of educational importance as the school shall deem necessary.
14. Records designated for retention by the Florida Department of State in General Records Schedule GS7 for Public Schools Pre-K - 12, Adult and Vocational/Technical.

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

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

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

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 or designee	Records Management Educational Services Facility
Individual exceptional student education records as specified in the current Student Records Manual for the District	Last school attended	Principal of last school attended	As shown in local directory

Individual student psychological records as specified in the current Student Records Manual for the District	Last school attended	Principal of last school attended	As shown in local directory
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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.

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

Access to Student Records

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

In addition to students and their parents and eligible students, student records shall be available only to designated school officials and personnel, to such other persons as the parent or eligible student authorizes in writing, a court of competent jurisdiction or to other individuals or organizations as permitted by law. The term parents includes legal guardians or other persons standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child). The term "eligible student" refers to students who are eighteen (18) years of age or older, or who are enrolled in a postsecondary institution, regardless of age.

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

Whenever a student has attained eighteen (18) years of age, the permission and consent required of and rights accorded to the parents of the student as to student records maintained by the District, shall thereafter be required of and accorded to the eligible student only, unless the eligible 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's records maintained by the District shall be retained by the parents.

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

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

[NOTE: F.A.C. 6A-1.0955 requires that the policy include a schedule of charges]

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.

() upon request, free of charge.

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

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

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

A. the parent, guardian, or eligible student is, upon request, notified of the names of all persons submitting confidential letters or statements; and

B. such recommendations or evaluations are used solely for the purpose for which they were specifically intended.

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

Court Request of Records

A. Student records may be disclosed to a court of competent jurisdiction provided that reasonable notification is given in advance to the parents and student. If the principal or his/her designee is unable to notify prior to the time for compliance set forth in the court order, s/he shall bring to the court's attention the provision of the Family Educational Rights and Privacy Act of 1974 and comply with the court's instruction.

B. Student records may be disclosed pursuant to a lawfully issued subpoena, upon the condition that the 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 an agreement is not reached, denial of the request and notification of the right to a formal hearing shall be made in writing to the parent, guardian, or eligible student with a copy to the Superintendent or designee.

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

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

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

Disclosure of Student Record Information

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

A. Prior Written Consent

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

B. Without Prior Written Consent

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

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

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

This written agreement must include:

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

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

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

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

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

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

- 6. Accrediting organizations, in order to carry out their accrediting functions.
- 7. School Readiness programs as provided in State law in order to carry out their assigned duties.
- 8. For use as evidence in student expulsion hearings conducted by a district school board under F.S. Chapter 120; however, public records of expulsion hearings shall not contain any personally identifiable information.
- 9. Appropriate parties in connection with an emergency, if knowledge of the information in the student's educational records is necessary to protect the health or safety of the student or other individuals.
- 10. The Auditor General and the Office of Program Policy Analysis and Government Accountability in connection with their official functions; however, except when the collection of personally identifiable information is specifically authorized by law, any data collected by the Auditor General and the Office of Program Policy Analysis and Government Accountability is confidential and exempt from F.S. 119.07 (1) and shall be protected in a way that does not permit

the personal identification of students and their parents by other than the Auditor General, the Office of Program Policy Analysis and Government Accountability, and their staff, and the personally identifiable data shall be destroyed when no longer needed for the Auditor General's and the Office of Program Policy Analysis and Government Accountability's official use.

11. A court of competent jurisdiction in compliance with an order of that court or the attorney of record in accordance with a lawfully issued subpoena, upon the condition that the student and the student's parent are notified of the order or subpoena in advance of compliance therewith by the educational institution or agency.

Student records may be disclosed pursuant to a lawfully issued subpoena, upon the condition that the student, or his/her parent if the student is either a minor and not attending a postsecondary educational institution or a dependent of such parent as defined in 26 U.S.C. 152 (section 152 of the Internal Revenue Code of 1954), is notified of the order or subpoena in advance of compliance therewith by the educational institution or agency.

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

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

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

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

C. Record of Disclosures

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

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

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

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

Transfer of Student Records

When a student, previously enrolled in the District transfers out of the District to another school, public or private, within this State or out of State, the Principal, upon written request of the principal of the receiving school, the parent, guardian, or eligible student, shall, within three (3) school days, transfer a copy of the student's cumulative record containing Category A and B information to the requesting school. Pursuant to Federal law, disciplinary records with respect to suspension and expulsion shall be considered "other records of educational importance" and, as a Category B record, shall be transferred to the requesting school. The Board authorizes the administration to forward all Category A and B student records, including disciplinary records with respect to any current suspension and expulsion, upon request to a school or school district in which a student of this District is enrolled, seeks or intends to enroll, or is instructed to enroll, on a full-time or part-time basis, upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record. The school shall retain a copy of the Category A information in its files. A copy of the Category B (Exceptional Student Education Audit File) records will also be retained. Category B health and testing information shall be retained if it is related to a weighted or categorical program placement which is subject to audit. The files which are retained will be held by the Principal who is

the custodian of the records for the period of time specified in the Student Records Manual. Category A student records and Category B (Exceptional Student Education Audit File) beyond the specified time after the student leaves the District will be forwarded to Records Management. When a request comes to the school for student records after the files have been sent to Records Management, the written request should be forwarded to Records Management. Based upon reasonable requests, viewers of educational records will receive explanation and interpretation of the records. Records Management will make copies of the student's files at the current the District's copy rate, which shall not exceed the maximum rate for copies of public records as set forth in F.S. Chapter 119.

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

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

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

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

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 request to amend the records through a hearing;
- E. file a complaint with the Department of Education;
- F. obtain a copy of the District's policy and administrative procedures on student records.

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

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

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

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

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.

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.

F.S. Chapter 119

F.S. 1001.41

F.S. 1001.52

F.S. 1002.22

F.S. 1002.221

F.S. 1002.222

F.S. 1003.25

F.A.C. 6A-1.0955

20 U.S.C. 1232f (FERPA)

20 U.S.C. 1232g (FERPA)

20 U.S.C. 1232h (FERPA)

20 U.S.C. 1232i (FERPA)

20 U.S.C. 7908

26 U.S.C. 152

20 U.S.C. 1400 et seq., Individuals with Disabilities Act

Privacy Rights of Parents and Students - P.L. 90-247

No Child Left Behind Act of 2001 - P.L. 107-110

2021 Solomon Amendment: Subtitle C- General Service Authorities and Correction of Military Records SEC. 521

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Legal

F.S. Chapter 119

F.S. 1001.41

F.S. 1001.52

F.S. 1002.22

F.S. 1002.221

F.S. 1002.222

F.S. 1003.25

F.A.C. 6A-1.0955

20 U.S.C. 1232f (FERPA)

20 U.S.C. 1232g (FERPA)

20 U.S.C. 1232h (FERPA)

20 U.S.C. 1232i (FERPA)

20 U.S.C. 7908

26 U.S.C. 152

20 U.S.C. 1400 et seq., Individuals with Disabilities Act

Privacy Rights of Parents and Students - P.L. 90-247

No Child Left Behind Act of 2001 - P.L. 107-110

2021 Solomon Amendment: Subtitle C- General Service Authorities and Correction of Military Records SEC. 521

Last Modified by Frankie St James on October 1, 2021

Book	Policy Manual
Section	V22 N1 REVISED
Title	REPORTS OF SUSPICIOUS ACTIVITY AND POTENTIAL THREATS TO SCHOOLS
Code	po8406 Technical Correction- reference 10/7/21 fsj jc 10/29/21
Status	
Adopted	May 14, 2019

8406 - REPORTS OF SUSPICIOUS ACTIVITY AND POTENTIAL THREATS TO SCHOOLS

It is vitally important that local public safety agencies and school officials be made aware of potential threats to schools as quickly as possible. All employees shall, and students and members of the community are strongly encouraged, to promptly make reports concerning unsafe, potentially harmful, dangerous, violent, or criminal activities, or the threat of these activities, to local public safety agencies and/or school officials. The following is a non-exhaustive list of mechanisms to disclose such information by:

- A. contacting local law enforcement agencies: Cape Coral Police Department
- B. utilizing the Florida Department of Education's mobile suspicious reporting tool ("FortifyFL");
- C. contacting the District's School Safety Specialist as follows:
 - 1. in person: Richard Parfitt, The School Board of Lee County
 - 2. via-telephone at 239-334-1102
 - 3. via-e-mail at: Richard APa@leeschools.net
- D. calling 9-1-1.

In addition, employees must also report unsafe, potentially harmful, dangerous, violent, or criminal activities, or the threat of these activities, to the Superintendent.

The identity of the reporting party and any other information received by school officials through the Florida Department of Education's mobile suspicious reporting tool is confidential and exempt under Florida's Public Records Act.

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Legal	F.A.C. 6A-1.0018
	F.S. 119.07
	F.S. 943.082
	F.S. 1006.07

Last Modified by Jacquelin Collins on October 29, 2021

Book	Policy Manual
Section	V22 N1 REVISED
Title	REVISED POLICY - VOL. 22, NO. 1 - EMERGENCY MANAGEMENT, EMERGENCY PREPAREDNESS, AND EMERGENCY RESPONSE AGENCIES
Code	po8420 jc 10/29/21
Status	
Adopted	April 12, 2016
Last Revised	December 8, 2020

REVISED POLICY - VOL. 22, NO. 1

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 ~~assailant~~ 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.

The active ~~assailant~~ shooter situation training for each school must engage the participation of the School Safety Specialist, threat assessment team members, faculty, staff, and students and must be conducted by the law enforcement agency or agencies that are designated as first responders to each school's campus.

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 and fire protection codes (such drills shall include accommodations conducted at exceptional student education centers);
- B. the health and safety of students and staff are safeguarded;
- C. embraces a collaborative effort with community emergency responders;
- D. the time necessary for instructional purposes is not unduly diverted;
- E. minimum disruption to the educational program occurs;
- F. students are helped to learn self-reliance and trained to respond sensibly to emergency situations;
- G. the system is supported by ongoing training that will include practical application and appropriate drills as required by F.S. 1001.42;
- H. evacuation drills should represent actual emergencies, including, but not limited to firearm, natural disasters, and bomb threats;
- I. 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);
- J. drills for active ~~assailant~~ shooter and hostage situations shall be conducted in accordance with developmentally appropriate and age-appropriate procedures at least as often as emergency drills and fire drills required by the Florida Fire Prevention

Code, as adopted by the State Fire Marshal~~other emergency drills; and~~

K. 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.

Completion of emergency drills shall be documented at all school facilities in the CCCCSA

List of Primary 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:

City of Cape Coral Fire Department

B. Natural Disasters:

Emergency Operations Center, City of Cape Coral

C. Bomb Threats:

City of Cape Coral Police Department

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

City of Cape Coral Police Department

E. Hazardous Materials or Toxic Chemical Spills:

Department Risk Management, City of Cape Coral

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

Emergency Operations Center, City of Cape Coral

G. Exposure as a Result of a Manmade Emergency:

City of Cape Coral Police Department/Fire Department

Parents of District students will be timely notified pursuant to procedures adopted by the Superintendent of threats and the following unlawful acts and significant emergencies that occur on school grounds, during school transportation, or during school-sponsored activities:

- A. weapons possession or use when there is intended harm toward another person, hostage, and active assailant situations;
- B. murder, homicide, or manslaughter;
- C. sex offenses, including rape, sexual assault, or sexual misconduct with a student by school personnel;
- D. natural emergencies, including hurricanes, tornadoes, and severe storms.
- E. exposure as a result of a manmade emergency.

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

- A. ☒ Superintendent;
- B. ☒ Building Administrators;
- C. ☒ Building Maintenance.

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

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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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

Last Modified by Jacquelin Collins on October 29, 2021

Book	Policy Manual
Section	V22 N1 REVISED
Title	PROTECTIVE FACIAL COVERINGS DURING PANDEMIC/EPIDEMIC EVENTS
Code	po8450.01 10/7/21 fsj jc 10/29/21
Status	
Adopted	March 9, 2021
Last Revised	June 8, 2021

8450.01 - PROTECTIVE FACIAL COVERINGS DURING PANDEMIC/EPIDEMIC EVENTS

[DRAFTING NOTE - Due to the rapidly evolving nature of the COVID-19 pandemic and regulations adopted by various public agencies, the Board is encouraged to communicate with its legal counsel regarding the Board's obligations/rights/authority under Florida law as it relates to facial coverings. Any changes in Florida law or agency regulations may require immediate revisions to this policy.]

During times of elevated communicable disease community spread (pandemic or epidemic), the Superintendent will issue periodic guidance through School Board plans/resolution(s) in alignment with applicable rules adopted by the Florida Departments of Health and Education, public health officials and/or in accordance with government edicts and including any Pandemic Plan developed by the District's Pandemic Response Team.

School settings can be a source of community spread. Wearing face masks/coverings is especially important during these times and can help mitigate the risk of exposure from person to person.

As such, during times of elevated communicable disease community spread, the Superintendent may activate this policy by notifying the school community, requiring all school staff, volunteers and visitors (including vendors) to wear appropriate face masks/coverings on school grounds unless it is unsafe to do so or where doing so would significantly interfere with the Districts educational or operational processes.

~~Face masks/shields will be provided by the District to employees. Alternatively, employees may elect to wear their own face coverings if they meet the requirements of this policy as well as any requirements issued by State or local health departments. In addition, the Board may require that students shall wear a face mask unless they are unable to do so for a health or developmental reason. Efforts will be made to reduce any social stigma for a student who, for medical or developmental reasons, cannot and should not wear a mask.~~

~~If face masks/coverings are required, and no exception is applicable, students shall be subject to disciplinary action in accordance with the Student Code of Conduct/Student Discipline Code, and in accordance with policies of the Board and/or may be reassigned by the Superintendent to an online/virtual learning environment if the Superintendent determines that reassignment is necessary to protect the health and safety of the student or others.~~

~~During times of elevated communicable disease community spread as determined by the Board in consultation with health professionals, all students are required to wear masks while being transported on District school buses or other modes of school transportation or while waiting for a school bus outdoors and unable to maintain a distance of six (6) feet or more from individuals who are not members of their household.~~

Use of Mask/Face Covering

Face coverings/masks should:

- A. fully cover the mouth, nose, and chin;
- B. fit snugly against the side of the face so there are no gaps;
- C. not create difficulty breathing while worn; and
- D. be held securely through either a tie, elastic, etc. to prevent slipping.

Facial masks/coverings generally should not include surgical masks or respirators unless medically indicated (as those should be reserved for healthcare workers) or masks designed to be worn for costume purposes.

All employee facial masks/coverings shall meet the requirements of the appropriate dress/staff grooming policies (Policy 3216/Policy 4216). All student facial masks/coverings shall meet the requirements of the appropriate Student Code of Conduct/Student Discipline Code and Policy 5511 Dress and Grooming.

Any person may be required to temporarily remove a face mask or covering when instructed to do so for identification or security purposes. Failure to comply with such a request violates this policy and may lead to disciplinary or other action.

Exceptions to the use of masks/face coverings may be considered ~~include~~ when:

- A. facial masks/coverings in the school setting are prohibited by law or regulation;
- B. facial masks/coverings are in violation of documented industry standards;
- C. facial masks/coverings are not advisable based on a for health issue as documented by a licensed Florida physician, psychologist, [x] D.O. or PA or ARNP; ~~reasons~~;
- D. facial masks/coverings are in violation of the school's documented safety policies;
- E. ~~facial masks/coverings are not required when the individual works alone in an assigned work area;~~
- F. ~~there is a functional (practical) reason for a staff member or volunteer not to wear a facial mask/covering in the workplace;~~
- G. ~~settings where face masks/coverings might present a safety hazard (i.e. science labs);~~
- H. ~~individuals have difficulty wearing a face mask/covering; or~~
- I. an established sincerely held religious belief exists and such belief does not permit a facial covering;
- J. to assist with communications for hearing impaired students.

~~The Board may be required to provide written justification to the local health officials upon request explaining why a staff member is not required to wear a facial covering in the school. Therefore, if any exceptions are made to the requirement for facial coverings, the request for such exception must be submitted in writing to the individual's supervisor with appropriate documentation provided. A decision on the request will be provided in writing.~~

Use of Face Shields

Face shields that wrap around the face and extend below the chin may be permitted as an alternative to face masks/coverings with permission of the Superintendent as the Board recognizes that face shields may be useful in some situations, including:

- A. when interacting with students, such as those with disabilities, where communication could be impacted;
- B. when interacting with English-language learners or when teaching a foreign language;
- C. settings where face masks/coverings might present a safety hazard (i.e. science labs); or
- D. for individuals who have difficulty wearing a face mask/covering.

If employees receive approval from the District administration after discussing their request not to wear a face mask/covering/shield due to a physical, mental or developmental health condition, and/or if wearing a mask/covering/shield would lead to a medical emergency or would introduce significant safety concerns, the District administration may also discuss other possible accommodations for the staff member. Such discussion shall follow Board policies and guidelines under the ADA.

School nurses or staff who care for individuals with symptoms consistent with those of a communicable disease must use appropriate personal protective equipment (PPE), provided by the school, in accordance with OSHA standards.

(x) When facial masks/coverings are required by the Board, and no exception has been applied, staff members who violate this policy shall be subject to disciplinary action in accordance with policies of the Board.

Revised 6/8/21

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F.S. 768.381

F.S. 768.38

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Book	Policy Manual
Section	V22 N1 REVISED
Title	AUTOMATED EXTERNAL DEFIBRILLATORS (AED)
Code	po8452 10/7/21 fsj jc 10/29/21
Status	
Adopted	November 8, 2016

8452 - AUTOMATED EXTERNAL DEFIBRILLATORS (AED)

The Authority has determined that Florida law authorizes the placement of an automated external defibrillator (AED) in school buildings owned or leased by the Authority for the purpose of saving the life of a person in cardiac arrest. The location of each AED shall be registered with a local emergency medical services medical director.

Each school in the Authority that is a member of the Florida High School Athletic Association (FHSA) must have an operational AED on school grounds.

An AED is a medical device designed to analyze the heart rhythm and deliver an electric shock to victims of ventricular fibrillation to restore the heart rhythm to normal. Ventricular fibrillation is the uncoordinated heart rhythm most often responsible for sudden cardiac arrest. Sudden cardiac arrest occurs when ventricular fibrillation takes place or when the heart stops beating altogether. Without medical attention, the victim collapses, loses consciousness, becomes unresponsive, and dies. Many victims have no prior history of heart disease and are stricken without warning.

All employees or volunteers who are reasonably expected to use an AED will be required to complete appropriate training, including completion of a course in cardiopulmonary resuscitation (CPR) or a basic first aid course that includes CPR and demonstrated proficiency in the use of an AED.

All employees or volunteers who are reasonably expected to use an AED shall be notified annually of the location of each AED on school grounds, which shall be available in a clearly marked and publicized location for each athletic activity.

In accordance with State law, any person, including District employees or volunteers who uses or attempts to use an AED on a victim of a perceived medical emergency, without objection of the victim of the perceived medical emergency, is immune from civil liability for any harm resulting from the use or attempted use of such AED, subject to certain exceptions set forth in Florida law.

If an AED device is placed in a building, the Board directs the Superintendent to develop procedures that govern AEDs, including, but not limited to, the use of the AED, placement of the AED, training, and maintenance and testing of the devices. In promulgating these procedures the Superintendent shall follow the procedures and recommendations developed pursuant to State law by the Secretary of the Department of Health.

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Legal	21 C.F.R. 801.109
	F.S. 401.2915, 768.13, 768.1325, 1006.165

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Book	Policy Manual
Section	V22 N1 REVISED
Title	RELIGIOUS/PATRIOTIC CEREMONIES AND OBSERVANCES
Code	po8800 10/7/21 fsj jc 10/29/21
Status	
Adopted	April 12, 2016
Last Revised	August 14, 2018

8800 - RELIGIOUS/PATRIOTIC CEREMONIES AND OBSERVANCES

Authority staff members shall not use prayer, religious readings, or religious symbols as a devotional exercise or in an act of worship or celebration. The Authority shall not act as a disseminating agent for any person or outside agency for any religious or anti-religious document, book, or article. Distribution of such materials on Authority property by any party shall be in accordance with Policy 7510 and AP 7510A - Use of Authority Facilities and Policy 9700 and AP 9700 - Relations with Special Interest Groups.

Federal law prohibits the Governing Board from adopting any policy or rule respecting or promoting an establishment of religion. Further, Federal and State law prohibit the Board from adopting any policy or rule, or from entering into any agreement, prohibiting any student or staff member from the free, individual, and voluntary exercise or expression of the individual's religious beliefs. However, such exercise or expression may be limited to lunch periods or other non-instructional time periods when students and staff are free to associate.

The Board shall not conduct or sanction a baccalaureate service in conjunction with graduation ceremonies.

The Principal shall require teachers in first-period classrooms in all grades to set aside at least one (1) minute, but not more than two (2) minutes daily, for a moment of silence. A staff member may not make suggestions as to the nature of any reflection that a student may engage in during the moment of silence. District staff shall encourage parents or guardians to discuss the moment of silence with their children and to make suggestions as to the best use of this time.

Students may not interfere with other students' participation during the moment of silence.

~~At the discretion of the Superintendent, a moment of silence may be provided each school day for prayer, reflection, or meditation upon a moral, philosophical, or patriotic theme. However, under no circumstances shall student be compelled to participate.~~

The flag of the United States shall be raised above each school and/or at other appropriate places during all school sessions, weather permitting. The flag shall be raised before the opening of school and taken down at its close every day.

Furthermore, the Board requires that an observance be scheduled each year on or about Veterans' Day to convey the meaning and significance of that day to all students and staff. The amount of time each school devotes to this observance shall be at least one (1) hour or, in schools that schedule class periods of less than one (1) hour, at least one (1) standard class period.

Instructional staff members are authorized to lead students in the Pledge of Allegiance at an appropriate time each school day. No student shall be compelled/required to participate in the recitation of the Pledge. Upon written request by the student's parent, a student shall be excused from reciting the pledge. However, students shall stand, with men removing their headdress except when worn for religious purposes. Each student shall be informed by posting a notice in a conspicuous place that the student has the right not to participate in reciting the pledge. Additionally, the Board prohibits the intimidation of any student by other students or staff for the purpose of coercing participation. A written notice shall be published in the student handbook that a student has the right not to participate in reciting the pledge. Upon written request by his/her parent, the student must be excused from reciting the pledge, including standing and placing the right hand over his/her heart.

Celebrate Freedom Week

The last full week of classes in September is recognized in school as Celebrate Freedom Week, and instruction that week will include study of the intent, meaning, and importance of the Declaration of Independence. During that week, principals and teachers will lead students in reciting a portion of the Declaration of Independence. A student will be excused from reciting the Declaration, upon written request by the student's parent, in accordance with State law

Revised 8/14/18

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F.S. 1000.06

F.S. 1002.20, 1003.421

F.S. 1003.44

F.S. 1003.4505

20 U.S.C. 4071 et seq.

Gregoire vs. Centennial School District 907 F.2d 1366, (3rd Circuit, 1990)

Lee vs. Weisman, 112 S. Ct. 2649, 120 L. Ed.2d 467 (1992)

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Book	Policy Manual
Section	Vol. 22, No. 1, Sept. 2021
Title	REVISED POLICY - VOL. 22, NO. 1 - CHARTER SCHOOLS
Code	po9800 jc 2/10/21 REJECT - Does Not Apply to CCCCSA
Status	

REVISED POLICY - VOL. 22, NO. 1

9800 - CHARTER SCHOOLS

F.S. 1002.33 empowers the School Board with oversight responsibility for all charter schools situated within _____ County. The Board designates the Superintendent to receive and review all charter applications. The Superintendent shall recommend to the Board the approval or denial of each charter application and charter contract as required by State law. The Board shall have final authority, by majority vote, to approve or deny any application and charter contract.

Approved charter schools are public schools and shall receive goods and services from the Board as required by law and/or specified through a contract with the Board.

If approved, the initial charter shall be for a term of five (5) years, excluding two (2) planning years. The Board may renew charters under the conditions and for terms as set forth in State law.

In addition, a charter school that satisfied the requirements set forth in State law for designation as a high-performing charter school may receive a modification of its term to fifteen (15) years or a fifteen (15) year charter renewal. The charter may be modified or renewed for a shorter term at the option of the high-performing charter school.

The Board shall enter into a charter with a charter operator and the focus is on three (3) areas of charter school operation: academic accountability, fiscal management, and governance. The Board, as sponsor, shall perform the duties provided in F.S. 1002.33.

Student academic achievement for all students is the most important factor when determining whether to renew or terminate a charter. Additionally, the Board has the right to non-renew or terminate any charter if the Board finds that one (1) of the following grounds exists by clear and convincing evidence:

- A. fails to participate in the State's education accountability system created in F.S. 1008.31, or fails to meet the requirement for student performance as specified in the charter;
- B. fails to meet generally accepted standards of fiscal management;
- C. materially violates the law;
- D. materially breaches the charter, as described in State law; and/or
- E. for other good cause shown.

Application Procedure

[] Potential applicants should send letters notifying the Board of their intent to submit an application to open a public charter school not later than July 1st. Such correspondence should be directed to the office of the Superintendent. Failing to send the letter of intent will in no way negatively impact the application.

Final Charter School Application

~~Final applications for a public charter school that are to be opened at the beginning of the District's next school year, or to be opened at a time agreed to by the application and the District, will be accepted no later than _____ p.m. [NOTE: This should be the time when the business day typically ends], on the submission deadline of August 1st, or before. If the submission deadline falls on a non-business day, the deadline shall be postponed to _____ p.m. [NOTE: This should be the same time as above.] on the next business day. Applications may be mailed or hand delivered but receipt by the Board must be on or before the deadline. Beginning in 2018 and thereafter, the District shall receive and consider applications received on or before February 1st of each calendar year for charter schools to be opened eighteen (18) months later at the beginning of the District's school year, or to~~