Subject: RE: RE: Public Records Request (FL-BREVARD-23-1239) - Stoneman-PRR-#24-824

Date: Monday, June 10, 2024 at 8:53:54 PM Eastern Daylight Time

From: recordsrequest
To: AO Records

Attachments: image001.jpg, image002.jpg, Emails and Attachments.zip

## **EXTERNAL SENDER**

June 10, 2024

American Oversight 1030 15th St NW, Suite B255 Washington, DC 20005

P: 202-848-1319

E: records@americanoversight.org

RE: Records Request Ticket ID# 24-824

Dear Taylor Stoneman,

Please find attached/enclosed the materials related to your request:

☑ Information provided as requested, in accordance with Florida Public Records Laws. Pursuant of Florida document retention policies and federal statutes and regulations.

Should you have any questions or need further assistance, please feel free to contact me.

# Holly Christmas

Florida Certified Records Manager Brevard Public Schools Division of Government and Community Relations 2700 Judge Fran Jamieson Way Viera, FL 32940 321 633-1000 x11453



You can't change the past, but you can ruin the present by worrying about the future.



From: recordsrequest

Sent: Friday, May 17, 2024 7:07 PM

To: 'AO Records' < records@americanoversight.org>

Subject: RE: RE: Public Records Request (FL-BREVARD-23-1239) - Pintado-PRR-#24-824

May 17, 2024

American Oversight 1030 15th St NW, Suite B255 Washington, DC 20005

P: 202-848-1319

E: records@americanoversight.org

RE: Records Request Ticket ID# 24-824

Dear Taylor Stoneman,

Please find attached an invoice for your public record request.

Please make your **check** or **money order** payable to The School Board of Brevard County and send it to:

School Board of Brevard County Attn: Holly Christmas 2700 Judge Fran Jamieson Way Viera, FL 32940-6601

Your request will automatically be cancelled after fifteen (15) business days (*June 7, 2024*) if the Records Department does not receive payment or contact from you within this timeframe.

Please let me know if I may be of further assistance.

# Holly Christmas

Florida Certified Records Manager Brevard Public Schools Division of Government and Community Relations 2700 Judge Fran Jamieson Way Viera, FL 32940 321 633-1000 x11453



You can't change the past, but you can ruin the present by worrying about the future.

**From:** recordsrequest

**Sent:** Friday, May 3, 2024 7:15 PM

To: AO Records < records@americanoversight.org >

Subject: RE: RE: Public Records Request (FL-BREVARD-23-1239) - Pintado-PRR-#24-824

May 3, 2024

American Oversight 1030 15th St NW, Suite B255 Washington, DC 20005

P: 202-848-1319

E: records@americanoversight.org

RE: Acknowledgement of Records Request Ticket ID# 24-824

Dear Mariuxi Pintado,

We have received your public records request.

Your request will be processed in accordance with the Florida Public Records Law.

Please be advised there are potentially fees to cover the cost of reproduction, including copier expenses, supplies and staff time associated with all requests. You will be advised as soon as possible regarding estimated costs. Payment will be due in advance by check or money order made payable to the **School Board of Brevard County**. If the actual cost is more than the estimate, your records will be released when payment in full has been received. If the actual cost is less than the estimate, a check for reimbursement will be requested and mailed to you.

**PLEASE NOTE:** Not all completed public records are in a digitized format. To receive a digitized version of a redacted record may require additional time and resources, resulting in additional expense.

You will be notified if records are exempt from public disclosure. Under public records laws, the district is not obliged to create a new document or records in response to a request for public records. Likewise, the district will not acquire computer software for the sole purpose of providing access or delivery of public records that are accessible by other means.

If you have any questions, please contact me at <a href="mailto:recordsrequest@brevardschools.org">recordsrequest@brevardschools.org</a>.



Brevard Public Schools
Division of Government and Community Relations
2700 Judge Fran Jamieson Way
Viera, FL 32940
321 633-1000 x11453



You can't change the past, but you can ruin the present by worrying about the future.

From: AO Records < records@americanoversight.org>

**Sent:** Thursday, May 2, 2024 4:07 PM

To: recordsrequest < recordsrequest@Brevardschools.org >

Subject: Re: RE: Public Records Request (FL-BREVARD-23-1239) - Pintado-PRR-#24-504

**Caution:** This email originated from outside of Brevard Public Schools. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Holly,

Thanks for passing along your earlier message. It hadn't made its way to me via our internal processing system before I sent my April 24<sup>th</sup> email, so I apologize for any inconvenience.

Could you please process our request, attached again here, with the time frame extending from the present to as far back as is currently technologically possible? If you can then note how far you were able to go back, we can always later submit a separate request for a time frame earlier than what you're able to process here, if we continue to remain interested in the subject.

Thanks, Taylor

-----

**Taylor Stoneman** | she/her Counsel | American Oversight records@americanoversight.org | (202) 848-1319 www.americanoversight.org | @weareoversight

**From:** recordsrequest < recordsrequest@Brevardschools.org >

Date: Monday, April 29, 2024 at 5:26 PM

To: AO Records < records@americanoversight.org >

Subject: RE: RE: Public Records Request (FL-BREVARD-23-1239) - Pintado-PRR-#24-504

#### EXTERNAL SENDER

# Good Evening,

I did send a response. Please see the attached email. I can make a new request for you but I'm not sure how far back they are able to go yet. Please let me know.

# Holly Christmas

Florida Certified Records Manager Brevard Public Schools Division of Government and Community Relations 2700 Judge Fran Jamieson Way Viera, FL 32940 321 633-1000 x11453



You can't change the past, but you can ruin the present by worrying about the future.

**From:** AO Records < records@americanoversight.org>

Sent: Wednesday, April 24, 2024 1:42 PM

To: recordsrequest < recordsrequest@Brevardschools.org >

Subject: Re: RE: Public Records Request (FL-BREVARD-23-1239) - Pintado-PRR-#24-504

**Caution:** This email originated from outside of Brevard Public Schools. Do not click links or open attachments unless you recognize the sender and know the content is safe.

## Dear Holly,

I'm following up on the attached public records request sent by American Oversight to Brevard Public Schools on December 20, 2023. We received an acknowledgement of our request on January 12<sup>th</sup> (see below email) but have not received any further information about the processing of our request. Could you please share an update regarding its status?

Thank you very much.

Sincerely, Taylor

-----

Taylor Stoneman | she/her Counsel | American Oversight

# <u>records@americanoversight.org</u> | (202) 848-1319 <u>www.americanoversight.org</u> | @weareoversight

**From:** recordsrequest < recordsrequest@Brevardschools.org >

Date: Friday, January 12, 2024 at 1:45 PM

To: AO Records < records@americanoversight.org >

Subject: RE: Public Records Request (FL-BREVARD-23-1239) - Pintado-PRR-#24-504

#### EXTERNAL SENDER

January 12, 2024

American Oversight 1030 15th St NW, Suite B255 Washington, DC 20005

P: 202-848-1319

E: records@americanoversight.org

RE: Acknowledgement of Records Request Ticket ID# 24-504

Dear Mariuxi Pintado,

We have received your public records request.

Your request will be processed in accordance with the Florida Public Records Law.

Please be advised there are potentially fees to cover the cost of reproduction, including copier expenses, supplies and staff time associated with all requests. You will be advised as soon as possible regarding estimated costs. Payment will be due in advance by check or money order made payable to the **School Board of Brevard County**. If the actual cost is more than the estimate, your records will be released when payment in full has been received. If the actual cost is less than the estimate, a check for reimbursement will be requested and mailed to you.

**PLEASE NOTE:** Not all completed public records are in a digitized format. To receive a digitized version of a redacted record may require additional time and resources, resulting in additional expense.

You will be notified if records are exempt from public disclosure. Under public records laws, the district is not obliged to create a new document or records in response to a request for public Arrecords, Likewise, the district will not acquire computer software for the sole purpose of

providing access or delivery of public records that are accessible by other means.

If you have any questions, please contact me at recordsrequest@brevardschools.org.

Due to Winter break, Public and Educational Records Requests will be delayed. Records Requests will be processed in the order in which they are received. We appreciate your patience.)

# Holly Christmas

Florida Certified Records Manager Brevard Public Schools Division of Government and Community Relations 2700 Judge Fran Jamieson Way Viera, FL 32940 321 633-1000 x11453



You can't change the past, but you can ruin the present by worrying about the future.

From: AO Records < <a href="mailto:records@americanoversight.org">records@americanoversight.org</a> Sent: Wednesday, December 20, 2023 3:07 PM

**To:** recordsrequest < recordsrequest@Brevardschools.org > **Subject:** Public Records Request (FL-BREVARD-23-1239)

You don't often get email from records@americanoversight.org. Learn why this is important

**Caution:** This email originated from outside of Brevard Public Schools. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Public Records Officer,

Please find attached a request for records under Florida's public records laws.

Sincerely,

Mariuxi Pintado I (she/hers)
Senior Paralegal I American Oversight
records@americanoversight.org
www.americanoversight.org I @weareoversight

Public Records Request: FL-BREVARD-23-1239

Due to Florida's broad public records law, most written communications to or from

government employees regarding public education are public records. Therefore, this e-mail communication may be subject to public disclosure.

Due to Florida's broad public records law, most written communications to or from government employees regarding public education are public records. Therefore, this email communication may be subject to public disclosure.

Due to Florida's broad public records law, most written communications to or from government employees regarding public education are public records. Therefore, this e-mail communication may be subject to public disclosure.



From: Harris.Tara@Curriculum and Instruction <Harris.Tara@Brevardschools.org>

**Sent:** Monday, March 11, 2024 7:47 AM

**To:** Ashley Hall; Bruhn.Russell@Government CommunityRelations; Dale.Michelle@Head

StartAdministration Off.; Ely.Patricia@Elementary Programs; Gibbs.Paul@General

Counsel; Katie Delaney; Michael Howell (Campbell); Paul Roub (Jenkins);

Slack.Missy@Elementary Programs

**Subject:** Book Committee Update

Attachments: Action Bible, The Gods Redemptive Story by Cariello, Sergio.pdf; Bible Stories for Little

Angels by Dodd, Sarah.pdf

Follow Up Flag: Follow up Flag Status: Flagged

Dear Book Advisory Committee Members,

The district staff review team met on Friday afternoon to review objected titles. After the team read *A Court of Wings and Ruin* by S. Maas and *The Perks of Being a* Wallflower by S. Chbosky from our understanding of the definition of sexual conduct as defined in s. 847.001(19) the following pages depict or describe sexual conduct. District use of these titles will be discontinued.

A Court of Wings and Ruin

Page 134-141

Pages 198

Pages 218-219

Pages 261

Pages 311-313

Pages 379-380

Pages 515-516

## The Perks of Being a Wallflower

Page 21

Pages 30-31

Pages 44-45

Pages 126-127

Page 158

Page 202

Here is the updated schedule for the Book Advisory Review Committee through the end of the school year. We were able to acquire *The Action Bible* for review from the publisher, but it must be returned timely to save on cost. It is a long read, so we've moved it to the 4/5/24 meeting since 3/8 to 4/5 meeting is our longest break. If you missed our meeting on Friday, the books are available at the front desk for your convenience.

Date	Time	Book	Room
4/5/24		Tilt and Tricks, The Action Bible and Bible Stories for Little Angels	3/4
4/26/24	1:00- 3:00	This One Summer	3/4
5/17/24	1:00- 3:00 🗚	A Court of Frost and Starlight	3/4



Tara Harris
Assistant Superintendent
Curriculum and Instruction
Brevard Public Schools
(321)633-1000 ext. 11411

Due to Florida's broad public records law, most written communications to or from government employees regarding public education are public records. Therefore, this e-mail communication may be subject to public disclosure.



From: Schindler.Ronna@Legal Services <Schindler.Ronna@Brevardschools.org>

**Sent:** Friday, February 16, 2024 7:15 AM Farnam.Lena@School Board

**Cc:** Rehmer.James@Office of Chief of Schools

**Subject:** Feb 20 Rule Development (Policy Review Only) - Please replace the following on the

Agenda

**Attachments:** Policy Revisions For March 12 2024 Approval rrs.pdf

**Importance:** High

Follow Up Flag: Follow up Flag Status: Flagged

Hi Lena.

Please replace the current document on the agenda named "Policy Revisions For March 12 2024 Approval" with the copy attached. One page of policy 5465 (the 1<sup>st</sup> page) was omitted and is now on the attachment. Thank you for your assistance with this.

## Kind regards,

## Ronna

## Ronna R. Schindler, ACP, FRP

Paralegal to Paul D. Gibbs, Esq., General Counsel, and Marijo Seibel, Assistant General Counsel Office of Legal Services
Brevard County Public Schools
2700 Judge Fran Jamieson Way
Viera, Florida 32940-6601
Phone: (321) 633-1000, ext. 11438

Email: <u>Schindler.Ronna@brevardschools.org</u> Work Hours: Monday – Friday 7am-3:30pm



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Due to Florida's broad public records law, most written communications to or from government employees regarding public education are public records. Therefore, this e-mail communication may be subject to public disclosure.



Rehmer.James@Office of Chief of Schools < Rehmer.James@Brevardschools.org > From:

Sent: Tuesday, April 2, 2024 10:49 AM Benjamin.Lorri@Adult Community Ed To:

FW: BACE part time employment requirements **Subject:** 

**Attachments:** FDOE-AdESOLProgInfoPaper (2).rtf; FDOE-AdESOLProgInfoPaper (2).rtf

**Follow Up Flag:** Follow up Flag Status: Flagged

What is this about? Lets talk more tomorrow during our meeting.

James Rehmer Chief of Schools **Brevard Public Schools** 

From: Cross.Jamie@C Area Adult Ed - Day <Cross.Jamie@Brevardschools.org>

Sent: Monday, April 1, 2024 2:24 PM

To: Dufrain.Ryan@Human Resources Services < Dufrain.Ryan@Brevardschools.org >; Benjamin.Lorri@Adult Community

Ed <Benjamin.Lorri@Brevardschools.org>

Cc: Rehmer.James@Office of Chief of Schools <Rehmer.James@Brevardschools.org>

**Subject:** BACE part time employment requirements

https---www.flsenate.gov-laws-statutes-2011-1012.39

Chapter 1012 Section 32 - 2011 Florida Statutes - The Florida Senate

Hello Mr. Dufrain.

I am reaching out to see if there would be a good time to meet regarding part time employment requirements for instructors in Adult Education in the state of Florida. We would like to meet in person if possible, however, I can send a virtual invite if needed.

I have attached an FLDOE "Adult ESOL Program Information Paper" from July 2021. I have also included 2 state statutes that relate to the hiring issues we are having. During the meeting I would refrence 2.7 on the FLDOE document and also Statutes 1012.32 and 1012.39. Thank you so much for your time.

Jamie Cross

Administrator

Brevard Adult and Community Education

1225 Clearlake Rd, Cocoa, FL 32922

321-633-3660



**From:** Rehmer.James@Office of Chief of Schools <Rehmer.James@Brevardschools.org>

**Sent:** Tuesday, January 30, 2024 3:45 PM **To:** Whittle.Kathy@Office of Chief of Schools

**Subject:** FW: Policies Moving Forward on Feb 20th Rule Development

**Attachments:** policy-revisions-for-feb 20 & march-12-2024-approval sent Jan 302024.pdf; aaa-

summary-of-proposed-policy-revisions-march-12-final-hearing.pdf; Summary-of-proposed-policy-revisions-Reviewed with No Revisions and Not Adopting NEOLA.pdf

Follow Up Flag: Follow up Flag Status: Flagged

Mrs. Whittle,

Can you print the attachments for me please?

James Rehmer Chief of Schools Brevard Public Schools

From: Schindler.Ronna@Legal Services <Schindler.Ronna@Brevardschools.org>

Sent: Tuesday, January 30, 2024 8:54 AM

To: Senior Staff <SeniorCabinet@Brevardschools.org>

Cc: Board Members <BoardMembers@Brevardschools.org>; Farnam.Lena@School Board

<Farnam.Lena@Brevardschools.org>

Subject: Policies Moving Forward on Feb 20th Rule Development

Goof morning, everyone.

Attached please find all the policy revisions moving forward on February 20<sup>th</sup>. The public notice ad for these has already been published.

There are two summary sheets attached. The first one matches all the policies moving forward. The second one lists the policies reviewed with no revisions, and a couple of Neola policies we are not currently adopting.

## Kind regards,

#### Ronna

## Ronna R. Schindler, ACP, FRP

Paralegal to Paul D. Gibbs, Esq., General Counsel, and Marijo Seibel, Assistant General Counsel Office of Legal Services Brevard County Public Schools 2700 Judge Fran Jamieson Way Viera, Florida 32940-6601

Phone: (321) 633-1000, ext. 11438

Email: <u>Schindler.Ronna@brevardschools.org</u> Work Hours: Monday – Friday 7am-3:30pm





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Due to Florida's broad public records law, most written communications to or from government employees regarding public education are public records. Therefore, this e-mail communication may be subject to public disclosure.



From: Sent:

To:

Rehmer.James@Superintendents Office <Rehmer.James@Brevardschools.org> Friday, July 28, 2023 3:07 PM

 $Adams. Cynthia@Imperial\ Estates\ Elementary;\ Alison. Samantha@Holland\ Elementary;$ 

Back.Erica@Atlantis Elementary; Barnett.Sarah@Meadowlane Intermediate;

Bennett.Roseann@Croton Elementary; Benson.Theresa@West Melbourne Elem;

Boyd.Christine@Harbor City Elementary; Brockwell.Jennifer@South

LakeElementary(Prin); Campione.Kathleen@Lockmar Elementary;

Carver.Christina@Gemini Elementary; Castillo.Karry@Quest Elementary;

Cochran.Cheree@Mims Elementary; Corso.Scott@Discovery Elementary;

Coverdale.Jeffrey@Golfview Elementary; Daly.Shannon@Manatee Elementary;

Diaz.Ana@University Park Elem; DiLago.Aimee@Apollo Elementary;

Dufresne.Kelli@Enterprise Elementary; Erenstoft.Kassie@Surfside Elementary;

Finsted.Victoria@McAuliffeElementary; Fleeger.Tiffiny@StevensonElem;

Gaumond.Nicole@Dr. WJ CreelElem; Grugan.Kelly@Roy AllenElementary;

Hall.Stephanie@Sea ParkElementary; Harris.Kimberly@AndersenElementary; Hill-

Brodigan. Elizab@Roosevelt Elementary; Hurst. Kori@Saturn Elementary;

Jones.Candace@Audubon Elementary; Julian.Jennifer@Columbia Elementary;

Kraus.Danielle@Sunrise Elementary; Long.Melissa@Cape View Elementary;

Lord.Colleen@Indialantic Elementary; Lott.Kathryn@Freedom 7 Elem;

Lovelace.Blair@Coquina Elementary; Mahl.Mike@Palm Bay Elementary;

Marines.Sandra@Sherwood Elementary; Marshall.Neleffra@Tropical Elementary;

Maynor.Courtney@Challenger 7Elementary; McDonough.Adrea@Oak ParkElementary;

Meraz.Christy@FairglenElementary; Michaud.Shelley@Ocean BreezeElem;

Miner.Jami@Lewis CarrollElementary; Murphy.Catherine@EndeavourElementary;

Myers.Mary@RivieraElementary; OBrien.Dawna@Mila Elementary;

Robinson.Mitzi@Pinewood Elementary; Rubick.Gregory@Port Malabar(Principal);

Schroeder.Susan@Williams Elementary; Schwab.Adrienne@Viera Elementary;

Sherburne.Jason@Longleaf Elementary; Smith.Deanna@Meadowlane Primary;

Tagye.Gina@Cambridge Elementary; Toll.Ashley@Turner Elementary;

Tressler.Shari@Suntree Elementary; Troisi.Sherie@Jupiter Elementary;

Trosset.Paige@Sabal Elementary; Woodbury.Stephanie@Westside Elementary;

Barton.Keith@Eau Gallie High; Clark.Buster@Rockledge High;

 $De Laughter. Jasmine @Southwest\ Middle;\ Diesel. Travis @Madison\ Middle;$ 

Ferreira.Paloma@Hoover Middle; Fleming.Rick@West Shore Jr Sr High;

Flora.Joseph@Space Coast Jr Sr High; Gonzalez.Jennifer@Titusville High;

Ingratta.Jackie@Edgewood Jr Sr; Kaminski.Jud@Palm Bay Magnet High;

Kirk.James@Melbourne High; Legate.Heather@Viera High; Link.Stephen@Heritage

High; Lubbers.Debbie@Merritt Island High; Lundy.Courtney@Stone Middle;

Mcnutt.Catherine@Mid County School; Middleton.Marina@Johnson Middle;

Miller.Krista@Astronaut High; Papczynski.Peter@Kennedy Middle;

Powers.Timothy@Cocoa Beach Jr SrHigh; Price.Heather@Brevard VirtualSchool;

Pruett.Robert@Satellite High; Richardson.Stephen@McNair Magnet;

Rutledge.Rachel@Career andTechnical Education; Shockley.Jennifer@Jackson Middle;

Smith.Heather@Central Middle; Stewart.Catherine@Cocoa High; Susin.Tina@DeLaura

Middle; Trine.Meara@Jefferson; Zander.Holli@Bayside High

Bowman.Sherri@Secondary Programs; Wiebelt.Lena@Secondary Leading and Learning;

Harris.Tara@Superintendents Office; Clarke.Jennifer@Elementary Programs;

Ivery.Karen@Elementary Programs; Mela.Carol@ESEA Title I;

Robinson.Kevin@Secondary Leading andLearning

Legislation

Cc:



Attachments: FADSS 2023 Legislative Summary.pdf; House Bill 7039 Student Outcomes.pdf; House Bill

> 389 Menstual Hygiene.pdf; House Bill 1537 Student Outcomes.pdf; House Bill 225 Athletics.pdf; House Bill 1069 LGBTQ.pdf; House Bill 1521 Facility Requirements.pdf; House Bill 1035 K-12 Teachers.pdf; Senate Bill 190 Athletics FLVS Private School.pdf

**Follow Up Flag:** Follow up Flag Status: Flagged

#### Good Afternoon,

Happy Friday! With all the legislation changes I wanted to provide you with specific information that you will want to disseminate during pre-planning. I pulled pertinent bill summaries from the FADSS document and they are attached with a label identifying the focus of the legislation. On some bills I have highlighted areas that I believe are an emphasis, but I strongly encourage that you review the bill summaries in their entirety. In addition, I have attached the FADSS full legislative summary (187 pages) if you would like to review the language of a bill not attached. If you want to review the complete bill some have a link in the FADSS document that will take you to the full length version of the bill (not all summaries have a link) or you can always go to the Florida Senate webpage: www.flsenate.gov.

#### Attachments:

FADSS: Complete 2023 Legislative Summary

House Bill 7039: Mostly elementary focused with changes to addressing literacy and math deficiencies and parent rights/notification (full law is extremely lengthy)

House Bill 389: Menstrual Hygiene products and the choice of the district to fund products (as of right now I don't believe the district will be providing funding but this does not preclude schools from assisting students with products) House Bill 1537: Impacts both elementary and secondary with graduation requirements, new school grade components, dual enrollment, required instruction, and searches/behavior

House Bill 225: Secondary focused as it is all about athletics

House Bill 1069: MUST READ for all levels as it identifies laws surrounding LGBTQ matters such as pronouns along with classroom instruction and instructional materials

House Bill 1521: MUST READ as it identifies facility requirements based on gender at birth

House Bill 1035: K-12 teacher updates on training, school discipline, and teacher rights

Senate Bill 190: Just an FYI for secondary principals as it deals with athletics and the allowance of FLVS and Charter students to participate at private schools

If you have any questions or concerns, please reach out or you can work with your Director.

Enjoy your weekend 😊



James Rehmer Chief of Schools **Brevard Public Schools** 



From: Ault.Michelle@Curriculum and Instruction <Ault.Michelle@Brevardschools.org>

**Sent:** Friday, March 8, 2024 2:49 PM

**To:** Harris.Tara@Curriculum and Instruction

**Attachments:** Action Bible, The Gods Redemptive Story by Cariello, Sergio.pdf; Bible Stories for Little

Angels by Dodd, Sarah.pdf

Follow Up Flag: Follow up Flag Status: Flagged

# Michelle Autt

Administrative Assistant to Tara Harris, Assistant Superintendent Curriculum and Instruction



2700 Judge Fran Jamieson Way Viera, FL 32940 321.633.1000 Ext 11411



From: Jenkins.Jayna@Psychological Services < Jenkins.Jayna@Brevardschools.org>

Sent: Sunday, February 4, 2024 10:48 AM

To: Harris.Tara@Curriculum and Instruction; Lovelace.Blair@Coquina Elementary

Cc: Mclean.Carlota@Elementary Programs; Chappie.Marilyn@Elementary Programs

**Subject:** RE: Opt-Out Child Safety Matters

**Attachments:** 6A-1.094124.doc

Follow Up Flag: Follow up Flag Status: Flagged

In terms of the resilience instruction, child trafficking, and substance use/abuse (attached), the FDOE does not provide for opting out.

There may be other areas, but not these three.

Every Student Matters, Every Moment Counts.

Dr. Jayna Jenkins, Director Dept. of Psychological and Mental Health Services Division of Student Services Brevard Public Schools

2700 Judge Fran Jamieson Way Viera, FL 32940 321-633-1000 Ext. 11510 Jenkins.jayna@brevardschools.org

Our Department Mission: To provide leadership for supporting the academic, social, emotional, behavioral, and physical development of all BPS students.

Need help finding local resources? BPS Community Connect can help you search for free or reduced cost programs such as food, housing, mental health, education programs, and other social services provided directly by Community Based Organizations. https://bpscommunityconnect.findhelp.com/

If you or someone you know is in crisis, call or text 988 to reach the Suicide and Crisis Lifeline, chat with them online via their website (<a href="https://988lifeline.org/talk-to-someone-now/">https://988lifeline.org/talk-to-someone-now/</a>), or text HOME to 741741 (multiple languages available). If this is an emergency, call 911.

From: Harris.Tara@Curriculum and Instruction < Harris.Tara@Brevardschools.org>

Sent: Friday, February 2, 2024 4:48 PM

To: Lovelace.Blair@Coquina Elementary < Lovelace.Blair@Brevardschools.org>

Cc: Mclean.Carlota@Elementary Programs < Mclean.Carlota@Brevardschools.org>; Chappie.Marilyn@Elementary

Programs < Chappie. Marilyn@Brevardschools.org>; Jenkins. Jayna@Psychological Services

<Jenkins.Jayna@Brevardschools.org>
Subject: RE: Opt-Out Child Safety Matters



#### Blair,

I've not seen this form before, so I am going to loop Marilyn Chappie, Carlota McLean, and Jayna Jenkins into the conversation. That said, parents can opt out of any instructional materials, but we must still provide required instruction. For the required instruction in both K and 2<sup>nd</sup>, this can be done without this curriculum resource.

Marilyn, Jayna, and Carlota,

Please weigh in on the use of this form from Monique Burr resources, if I've missed anything.

Tara Harris
Assistant Superintendent
Curriculum and Instruction
Brevard Public Schools
(321)633-1000 ext. 11411

From: Lovelace.Blair@Coquina Elementary < Lovelace.Blair@Brevardschools.org >

Sent: Friday, February 2, 2024 2:56 PM

To: Harris.Tara@Curriculum and Instruction <Harris.Tara@Brevardschools.org>

Subject: Opt-Out Child Safety Matters

Tara,

I should probably know this but I received this from a parent today. It doesn't have a BPS or FLDOE noted approval for OPT OUT. Do I still honor it?

Blair



#### 6A-1.094124 Required Instruction Planning and Reporting.

- (1) In order to provide information about the manner in which the prescribed courses of study set forth in Section 1003.42(2), F.S., are provided by school districts, by July 1 of each year, each school district must submit a report to the Commissioner of Education that describes how instruction was provided for topics in Sections 1003.42(2)(a)-(n) and (p)-(t), F.S., during the previous school year. This report shall be submitted through the Required Instruction Reporting Portal located at www.flrequiredinstruction.org. The department may provide technical assistance on required instruction specific to each topic.
  - (2) This report shall contain:
  - (a) The specific courses in which instruction has been delivered for each grade level;
  - (b) A description of the materials and resources utilized to deliver instruction; and
  - (c) For subsections (4)-(6) of this rule, the professional qualifications of the person delivering instruction.
- (3) As provided in Section 1003.42(2), F.S., members of instructional staff in public schools must teach the required instruction topics efficiently and faithfully, using materials that meet the highest standards of professionalism and historical accuracy.
- (a) Efficient and faithful teaching of the required topics must be consistent with the state academic standards and the Benchmarks for Excellent Student Thinking (B.E.S.T.) Standards.
- (b) Instruction on the required topics must be factual and objective, and may not suppress or distort significant historical events, such as the Holocaust, slavery, the Civil War and Reconstruction, the civil rights movement and the contributions of women, African American and Hispanic people to our country, as already provided in Section 1003.42(2), F.S. Examples of theories that distort historical events and are inconsistent with State Board approved standards include the denial or minimization of the Holocaust, and the teaching of Critical Race Theory, meaning the theory that racism is not merely the product of prejudice, but that racism is embedded in American society and its legal systems in order to uphold the supremacy of white persons. Instruction may not utilize material from the 1619 Project and may not define American history as something other than the creation of a new nation based largely on universal principles stated in the Declaration of Independence. Instruction must include the U.S. Constitution, the Bill of Rights and subsequent amendments.
- (c) Efficient and faithful teaching further means that any discussion is appropriate for the age and maturity level of the students, and teachers serve as facilitators for student discussion and do not share their personal views or attempt to indoctrinate or persuade students to a particular point of view that is inconsistent with the state academic standards and the Benchmarks for Excellent Student Thinking (B.E.S.T.) Standards.
  - (4) Resiliency Education: Civic and Character Education and Life Skills Education.
- (a) Civic and character education, and life skills education that builds confidence and supports mental health, are combined to develop and prepare more resilient students. The purpose of aligning these two components of statutorily required instruction is to initiate a first in the nation approach to connecting the concepts of students' readiness, resiliency and, when necessary, response and recovery.
- (b) School districts must annually provide a minimum of five (5) hours of data-driven instruction to students in grades 6-12 related to civic and character education and life skills education through resiliency education using the health education standards adopted in Rule 6A-1.09401, F.A.C., Student Performance Standards. The instruction will advance each year through developmentally appropriate instruction and skill building and must address, at a minimum, the following topics:
- 1. Strategies specific to demonstrating resiliency through adversity, including the benefits of service to the community through volunteerism;
  - 2. Strategies to develop healthy characteristics that reinforce positive core values and foster resiliency such as:
  - a. Empathy, perseverance, grit, gratitude and responsibility;
  - b. Critical thinking, problem solving and responsible decision-making;
  - c. Self-awareness and self-management;
  - d. Mentorship and citizenship; and
  - e. Honesty.
  - 3. Recognition of signs and symptoms of mental health concerns;
- 4. Promotion of resiliency to empower youth to persevere and reverse the harmful stigma of mental health by reframing the approach from mental health education to resiliency education;
  - 5. Strategies to support a peer, friend, or family member through adversity;
  - 6. Prevention of suicide;



- 7. Prevention of the abuse of and addiction to alcohol, nicotine, and drugs; and
- 8. Awareness of local school and community resources and the process for accessing assistance.
- (5) Substance Use and Abuse Health Education.
- (a) School districts must annually provide instruction to students in grades K-12 related to youth substance use and abuse health education.
- (b) Using the health education standards adopted in Rule 6A-1.09401, F.A.C., Student Performance Standards, the instruction for substance use and abuse education will advance each year through developmentally appropriate instruction and skill building.
  - (6) Child Trafficking Prevention Education.
  - (a) It is the intent of the State Board of Education that every school in Florida be a "Child Trafficking Free Zone."
- (b) School districts must annually provide instruction to students in grades K-12 related to child trafficking prevention and awareness.
- (c) Using the health education standards adopted in Rule 6A-1.09401, F.A.C., Student Performance Standards, the instruction for child trafficking prevention will advance each year through developmentally appropriate instruction and skill building.
- (d) Age-appropriate elements of effective and evidence-based programs and instruction to students in grades K-12 related to child trafficking prevention and awareness and must address, at a minimum, the following topics:
  - 1. Recognition of signs of human trafficking;
  - 2. Awareness of resources, including national, state and local resources;
  - 3. Prevention of the abuse of and addiction to alcohol, nicotine, and drugs;
- 4. Information on the prevalence, nature, and strategies to reduce the risk of human trafficking, techniques to set healthy boundaries, and how to safely seek assistance; and
  - 5. Information on how social media and mobile device applications are used for human trafficking.
- (e) In order to assist with instruction, the department will maintain a human trafficking webpage, located at http://www.fldoe.org/schools/healthy-schools/human-trafficking.stml, with information about the education described in this rule; resources on abuse, including sexual abuse, and human trafficking prevention for professional learning purposes; and materials for parents, guardians, and other caretakers of students.
- (7) By December 1 of each year, each school district must submit an implementation plan to the commissioner through the Required Instruction Reporting Portal for subsections (4)-(6) of this rule, and post the plan on the school district website. The implementation plan must include:
  - 1. The methods in which instruction will be delivered for each grade level;
  - 2. The professional qualifications of the person delivering instruction; and
  - 3. A description of the materials and resources utilized to deliver instruction.
- (8) When a school district's plan for instruction as set forth in subsection (7), or a school district's reported instruction as set forth in subsections (1) and (2) of this rule, do not meet the requirements of this rule or Section 1003.42, F.S., school districts must be provided no less than forty-five (45) days in order to submit revisions to the department.
- (9) Failure to comply with the requirements of this rule may result in the imposition of sanctions described in Section 1008.32, F.S.

Rulemaking Authority 1001.02(2)(n), 1003.42(2) FS. Law Implemented 1003.42 FS. History—New 10-24-19, Amended 12-22-20, 7-26-21, 11-23-22.



# SUMMARY OF PROPOSED POLICY REVISIONS Board Recommended Policy Revisions Up To & Including Vol. 24 NO.1

POLICY NO	POLICY TITLE	ACTION (New, Revised, Rescind)	SUMMARY POINTS	DIVISION
	Sample Of Summary		This Sample Policy is an example of how the Summary Points section should be filled out. Describe whether this is a Board Driven Change/Addition/Deletion, and whether it is a NEOLA updated policy. Fill it out in the same manner the old Form D Executive Summary was filled out and be sure to add the Specific Legal Authority at the end of each policy summary.  Example below:	
0000		NEW	<ul> <li>Here is some sample language – change this so it is applicable to your policy.</li> <li>This policy is being revised for technical changes only.</li> <li>This policy is being revised to clarify the procedures regarding ***********, and other changes in compliance with applicable Florida law.</li> <li>Particular areas of revision include the following: **********</li> <li>These proposed revisions [do/do not] encompass the suggested language from NEOLA.</li> <li>Specific Legal Authority: Add the relevant legal authority citations here applicable to your policy: Example only: .</li> <li>§\$790.001, 790.06, 1001.43, 1006.07; F.S.; 18 U.S.C. 922</li> </ul>	Legal Svcs.
2111	Parent and Family Involvement	Revised	Added Neola recommendations regarding implementation of the policy and deleted old implementation information. A third provision was added under volunteer opportunities based on Neola recommendation. Legal authority F.S. 1000.03 and F.S. 1002.23	cos
2125	SAC for School Improvement	Revised	Added Neola recommendations for written procedures for advisory councils.  Added recommendations for SIP plan process for conflict resolution and the process for conflict resolution. Legal authority F.S. 1001.41, F.S. 1001.42, and F.S. 1001.452.	cos
2205	Instructional Planning	Revised	Removed Statutes 1001.11 and 1008.395 per Board Recommendation	COS/Legal
AVERIONEI	Curriculum Development	REVISED	The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board policies, administrative rules, procedures, and guidelines. In addition, the proposed revisions promote transparency and accountability. Legislation changed and added submission requirements for reading.	C&I

POLICY NO	POLICY TITLE	ACTION (New, Revised, Rescind)	SUMMARY POINTS	DIVISION
		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Specific Legal Authority: F.S. 1001.11, F.S. 1001.41, F.S. 1001.42, F.S. 1001.51, F.S. 1003.4201, F.S. 1006.28, F.S. 1008.22, F.S. 1008.34, F.S. 1012.27, Chapter I of Education Consolidation and Improvement Act of 1981, P.L. 97-35	
2230	Course Guides	Revised	The purpose of the proposed revision includes the addition of language to require School Board approval of new course guides and revisions to existing guides.  Legal Authority: F.S. 1003.41, F.S. 1003.42	
2240	Controversial Issues	Revised	Added Neola recommendation at the end of the policy focused on administrative procedures for issues. Administrative procedures will be updated. Legal authority 20 U.S.C. 1232h	cos
2250	Innovative Programs	NEW	This policy is new because it did not exist in our inventory. The policy does encompass the NEOLA language. No legal authority is listed in NEOLA; however, it references policy 2210. 2210 has this Specific Legal Authority: F.S. 1001.11, F.S. 1001.41, F.S. 1001.42, F.S. 1001.51, F.S. 1003.4201, F.S. 1006.28, F.S. 1008.22, F.S. 1008.34, F.S. 1012.27, Chapter I of Education Consolidation and Improvement Act of 1981, P.L. 97-35	C&I
2261	Title I Services	Revised	The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board Policies, Administrative Rules, Procedures, and Guidelines. These proposed revisions do encompass the suggested language from NEOLA.  Specific Legal Authority: 20 U.S.C. 2701 et seq., Elementary and Secondary Education Act of 1965  Specific Legal Authority: 20 U.S.C. 2701 et seq., Elementary and Secondary Education Act of 1965	C&I
2261.03	Annual Report Requirements	Revised	The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board Policies, Administrative Rules, Procedures, and Guidelines. These proposed revisions do encompass the suggested language from NEOLA.  Specific Legal Authority: 20 U.S.C. 6311, F.S. 1001.42, F.S. 1008.25, F.S. 1008.33, F.S. 1008.34, F.S. 1008.341, F.S. 1008.345	C&I
A 2270 R	Religion in the Curriculum	Revised	The purpose of the proposed revisions is to comply with federal and state laws. The revisions include cross reference to policy 8800-Religious and Other Ceremonies and Observances. The updates to this policy reflect recommendations from NEOLA Vol. 24, No. 1.	C & I

POLICY NO	POLICY TITLE	ACTION (New, Revised, Rescind)	SUMMARY POINTS	DIVISION
2271	Articulation and Access to Florida College Systems Institutions	Revised	Legal Authority: F.S. 1003.45, U.S. Constitution Amendment 1  The title of this policy is revised from Postsecondary Enrollment Programs to Articulation and Access to Florida College Systems Institutions. The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board policies, administrative rules, procedures, and guidelines. The proposed revisions update language to comply with the Early College requirements and enrollment opportunities for students for industry certifications.  Legal Authority: F.A.C. 6A-10.024, Articulation Between and Among Universities, Florida Colleges and School Districts, F.S. 1008.44, F.S. 1007.273, F.S. 1007.233, F.S. 1007.27, F.S. 1007.271	C & I
2280	Physical Education	NEW	This policy previously did not exist in BPS. The policy was added based on Neola recommendation and specific to BPS procedures pertaining to HOPE and waivers. Legal Authority 1003.4282, F.S. 1003.455, F.S. 1003.453	cos
2370	Educational Options	REVISED	The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board policies, administrative rules, procedures, and guidelines. In addition, the proposed revisions include the process for a student to participate in educational options at the District. Legislation changed and added clarity for student participation. Legal authority includes F.S. 1001.43, F.S. 1001.42, F.S. 1002.20(6), F.S. 1002.3105, F.S. 1002.321, F.S. 1002.37, F.S. 1003.4295, F.S. 1007.271, F.S. 1007.273	C&I
2371	Hope Scholarships	Revised	This policy encompasses changes recommended from NEOLA Volume 24, No. 1. A drafting note is also included in Policy 2371V2 (now Policy 2371) notifying school districts that effective February 21, 2023, F.A.C. Rule 6A-6.0951(3)(c) was amended to add "simple battery" and remove "physical attack" from the list of incidents that qualify a student for a Hope Scholarship. However, F.S. 1002.40(3) still includes "physical attack" in the program eligibility section. The list of incidents in Policy 2371V2 (now Policy 2371) is consistent with F.S. 1002.40. Thus, while the rule has been revised to remove "physical attack" and add "simple battery," the terms "physical attack" and "battery" still remain in the template.  Legal Authority: F.S. 1002.40; F.A.C. 6A-6.0951	SS

POLICY NO	POLICY TITLE	ACTION (New, Revised, Rescind)	SUMMARY POINTS	DIVISION
2410.01	Mental Health Services	New	This new policy reflects newly-created F.S. 1006.041 and other statutory changes in HB 5101 that require a mental health assistance program to be implemented by the District. It incorporates sections previously located in Policy 2410 and adds provisions for a mental health assistance plan to be approved annually by the Board and submitted to the Florida Department of Education.  F.S. 39.201 F.S. 394.463 F.S. 394.495(7) F.S. 1001.42 F.S. 1002.20 F.S. 1002.22 F.S. 1006.041 F.S. 1006.07	SS
2411.01	College/Career Readiness Assessment	Rescind	F.S. 1011.62  This policy is being rescinded because it is not a NEOLA policy and it is based on past practice rather than current practice. College/career readiness and access is provided for all high school students through processes.	C&I
2421	Career & Technical Education Program	REVISED	The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board policies, administrative rules, procedures, and guidelines. In addition, the proposed revisions include a new requirement for career fairs, an update to the name of a statewide organization, and other clarifications related to recent CTE initiatives. Specific legal authorities include: F.S. 445.004, F.S. 445.006, F.S. 446 et seq., F.S. 450.081, F.S. 1000.05, F.S. 1001.42, F.S. 1003.01, F.S. 1003.4156, F.S. 1003.4282, F.S. 1003.491, F.S. 1003.492, F.S. 1003.4935, F.S. 1004.096, F.S. 1004.91, F.S. 1004.92, F.S. 1009.26, F.S. 1009.26, F.S. 1009.40, F.S. 1009.536 F.S. 1007.271, F.S. 1009.21, F.S. 1009.22, F.S. 1009.26, F.S. 1009.40, F.S. 1009.536 F.S. 1009.896, F.S. 1011.62, F.S. 1011.80, F.A.C. 6A-20.0284, 29 U.S.C. 201, 29 U.S.C. 203, 29 U.S.C. 204, 29 U.S.C. 206, 29 U.S.C. 207, 29 U.S.C. 209, 29 U.S.C. 210, 29 U.S.C. 211, 29 U.S.C. 212, 29 U.S.C. 213, 29 U.S.C. 214, 29 U.S.C. 215, 29 U.S.C. 216, 29 U.S.C. 216b, 29 U.S.C. 217, 29 U.S.C. 218, 29 U.S.C. 218b, 29 U.S.C. 218c 29 U.S.C. 219	C&I
<b>A2421.01</b>	Astudents as Trainees	NEW	This new recommended policy describes work-site training programs as part of the vocational program. Specific legal authorities include F.S. 1001.42 and F.A.C. 6A-6.055.	C&I

POLICY NO	POLICY TITLE	ACTION (New, Revised, Rescind)	SUMMARY POINTS	DIVISION
2423	School-to-Work Program	NEW	The purpose of the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board policies, administrative rules, procedures, and guidelines. In addition, the proposed policy defines school-based learning, work-based learning, and connecting activities for students to develop life-long learning skills. Legislation was modified this year and this policy was not currently written in Brevard Public Schools.  Specific legal authority includes F.S. 446.54 and F.A.C. 6A-6.055.	C&I
2430	District Sponsored Clubs and Activities	Revised	Added NEOLA recommendation on informing parents of nature of activities F.S. 1014.05, F.S. 1006.195, F.S. 1006.15	cos
2431.01	Participation by Transfer Students	New	This policy is new to BPS and was added based on Neola and consultation with county athletic director Kevin Robinson. Certain areas of Neola were not necessary for policy. Legal authority F.S. 1002.20, F.S. 1006.15, F.S. 1006.195, F.S. 1006.20.	cos
2440	Summer Programs	Revised	The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board policies, administrative rules, procedures, and guidelines. In addition, the proposed revisions promote transparency and accountability.  Updated to align with Neola 2023 and formatting updated.  Specific Legal Authority: F.S. 1001.43	C&I
2450	Adult and Community Ed	Revised	Added section regarding individuals who are 16 or 17 taking the GED. Legal authority F.S. 1001.41, F.S. 1003.435, F.S. 1004.93, F.S. 1004.94.	cos
2460  AMERICAL	Exceptional Student Education	Revised	This encompasses changes from NEOLA Volume 24 No. 1 and 2.  Policy 2460 implements statutory changes from SB 290 and HB 795. These changes include modifications to language regarding the definition of "private instructional personnel" as its relates to District personnel collaborating with private instructional personnel who are hired or contracted by parents. A new section titled, "Early Literacy Skills for Retained Prekindergarten Students" is also included.  Policy 2460 includes a new legal reference to F.A.C. Rule 6A-6.03028 (Provision of Free Appropriate Public Education (FAPE) and Development of Individual Educational Plans for Students with Disabilities) for required content in a student's IEP and the new requirement that notice of the transfer of parent rights be provided at least one (1) year before the student reaches age eighteen (18). The notice of transfer of parental rights addition is based on the recent amendment to F.A.C. Rule 6A-6.03311.	SS

POLICY NO	POLICY TITLE	ACTION (New, Revised, Rescind)	SUMMARY POINTS	DIVISION
			Legal Authority: F.S. 1001.41; F.S. 1001.42; F.S. 1003.01(3)(b); F.S. 1003.4156; F.S. 1003.428; F.S. 1003.57; F.S. 1003.5715; F.S. 1003.572; F.S. 1008.212; F.S. 1008.22	
			F.S. 1008.24; Statewide Assessment for Students with Disabilities, F.A.C. 6A-1.0943; Florida Alternate Assessment Requirements, F.A.C. 6A-1.09430; Procedural Safeguards and Due Process Procedures for Parents and Students with Disabilities, F.A.C. 6A-6.03311; Procedural Safeguards for Exceptional Students Who Are Gifted, F.A.C. 6A-6.03313; Surrogate Parents, F.A.C. 6A-6.0333; Definitions, ESE Policies and Procedures, and ESE Administrators, F.A.C. 6A-6.03411; 20 U.S.C. 1400 et seq.; 20 U.S.C. 1401 et seq.; 34 C.F.R. Part 300.520	
2460.01	Least Restrictive Environment	Rescind	Policy 2460.01 contains language very similar to that in Policy 2460. It is, therefore, in our judgment, duplicative, redundant, and unnecessary. It is recommended that this policy be rescinded by Board action.	SS
2520	Selection and Adoption of Instructional Materials	Revised	The purpose of the proposed revisions reflect suggested updates from NEOLA Vol. 24, No. 1. These revisions include requirements per statute regarding the Library Media Training course, requirements of standard alignment for instructional materials for core courses, and requirements for intervention materials used in grades K-5. An additional revision include the change to language regarding the advisory committee process. The language was revised to include the pacing of the committee's reading pace to be a minimum of 100 pages per week or at an increased pace based on committee determination as part of the objection process. Revisions to the form numbers referenced in the policy were made for accuracy.  Legal Authority: F.A.C. 6A-7.0713, F.A.C. 6A-7.0715, F.S. 119.071,F.S. 212.183, F.S. 1001.215, F.S. 1002.22, F.S. 1003.485, F.S. 1006.28, F.S. 1006.28 through 1006.42, F.S. 1006.40, F.S. 1008.22, F.S. 1008.25(5) (a), F.S. 1008.25 (5) (c), F.S. 1014.05, F.A.C. 6A-6.03028, 34 C.F.R. Part 300	C & I
2521 AMERI	Instructional Materials Program CAN RSIGHT	Revised	The purpose of the proposed revisions reflect suggested updates from NEOLA Vol. 24, No. 1. These revisions include requirements per statute regarding the Library Media Training course, requirements of standard alignment for instructional materials for core courses, and requirements for intervention materials used in grades K-5. An additional revision include the change to language regarding the advisory committee process. The language was revised to include the pacing of the committee's reading pace to be a minimum of 100 pages per week or at an increased pace based on committee determination as part of the objection	C & I

POLICY NO	POLICY TITLE	ACTION (New, Revised, Rescind)	SUMMARY POINTS	DIVISION
			process. Revisions to the form numbers referenced in the policy were made for accuracy.  Legal Authority: F.A.C. 6A-7.0715, F.S. 119.071, F.S. 1001.215, F.S. 1002.22, F.S. 1003.41, F.S. 1003.485, F.S. 1006.28, F.S. 1006.28 through 1006.42, F.S. 1008.22, F.S. 1008.25(5) (a), F.S. 1008.25(5) (c), F.S. 1014.05, F.A.C. 6A-6.03028, F.A.C. 7A-7.0713	
2623	Student Assessment	REVISED	This policy is being revised to clarify the procedures regarding student assessments, security provisions for state mandated assessments; guidelines for determining appropriate accommodations for students, special testing accommodations for students classified as disabled as defined by Section 504 and accommodations for Limited English Proficient (LEP) students.  Particular areas of revision include compliance with all applicable federal and state laws, Florida State Board of Education rules, and administrative rules and guidelines.  These proposed revisions do encompass the suggested language from NEOLA.  Legal Authority: F.S. 1002.33; F.S. 1002.37; F.S. 1002.395; F.S. 1002.45; F.S. 1003.01; F.S. 1003.4282; F.S. 1003.499; F.S. 1007.02; F.S. 1008.212; F.S. 1008.22; F.S. 1008.24; F.S. 1008.25; F.S. 1008.30; F.S. 1012.37; F.S. 1012.55; F.S. 1012.56; Procedural Safeguards and Due Process for Parents and Students with Disabilities, F.A.C. 6A-6.03311; Florida Comprehensive Assessment Test and End-of-Course Assessment Requirements, F.A.C. 6A-1.09430; Procedures for Special Exemption from Graduation Test Requirement for Students with Disabilities Seeking a Standard High School Diploma, F.A.C. 6A-1.09431; Assessment of English Language Learners, F.A.C. 6A-1.09432; State Board of Education Rule, F.A.C. 10.0422	C & I
3120 AMERIC	EMPLOYMENT OF STAFF	REVISED	The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board Policies, Administrative Rules, Procedures, and Guidelines. These proposed revisions do encompass the suggested language from NEOLA Specific Legal Authority: F.S. 1012.575, F.S. 1012.57, F.S. 1012.01, F.S. 1012.22, F.S. 1012.24, F.S. 1012.27, F.S. 1012.315, F.S. 1012.32, F.S. 1012.33, F.S. 1012.42, F.S. 1012.55, F.S. 1012.56, F.A.C. 6A-1.0502	H.R.

POLICY NO	POLICY TITLE	ACTION (New, Revised, Rescind)	SUMMARY POINTS	DIVISION
3120.04	EMPLOYMENT OF SUBSTITUTES, SHORT- TERM CONTRACT, AND PART-TIME STAFF	REVISED	This policy is being revised for technical changes only. Specific Legal Authority: F.S. 1002.83(14), F.S. 1012.35, F.S. 1012.36	H.R
3120.08	PART-TIME EXTRA- CURRICULAR PERSONNEL	REVISED	The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board Policies, Administrative Rules, Procedures, and Guidelines. These proposed revisions do encompass the suggested language from NEOLA Specific Legal Authority: F.S. 1012.01, F.S. 1012.55(2), F.A.C. 6A-1.0502(11)	H.R
3120.10	Job Sharing	NEW	New Policy. This policy does encompass the suggested language from NEOLA Specific Legal Authority: F.S. 1012.23, F.S. 1012.36	H.R.
3122	NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY	REVISED	The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board Policies, Administrative Rules, Procedures, and Guidelines. These proposed revisions do encompass the suggested language from NEOLA Specific Legal Authority: F.S. 110.1221, F.S. 250.481, F.S. 760.01, F.S. 760.10, F.S. 1000.05, 20 U.S.C. 1681 et seq., Title IX, 29 U.S.C. 701 et seq., Age Discrimination in Employment Act of 1967, 29 U.S.C. 701 et seq., Rehabilitation Act of 1973, 42 U.S.C. 2000e, et seq., Civil Rights Act of 1964, 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act, 42 U.S.C. 12112, Americans with Disabilities Act of 1990, 29 C.F.R. Part 1635, 38 U.S.C. 4301 et seq., The Uniformed Services Employment and Reemployment Rights Act	H.R
3122.01	Prohibition Against Disability Discrimination in Employment	NEW	New Policy. This policy does encompass the suggested language from NEOLA Specific Legal Authority: 29 C.F.R. Part 1630, 29U.S.C. 794, Section 504 Rehabilitation Act of 1973, as amended, 34 C.F.R. Part 104, 42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended	H.R.
3124	Drug-Free Workplace	Revised	No change to policy, changes to administrative procedure only. AP edited to allow more time between drug screening and employee start date.  Specific Legal Authority: F.S. 440.101, F.S. 440.102, 20 U.S.C. 3224A, 20 U.S.C. Omnibus Transportation Testing Act of 1991, 20 U.S.C. 701-706, Rehabilitative Act 1973, 20 U.S.C. 86-201, 20 U.S.C. 3171 et seq., 29 U.S.C. 705(2), 29 U.S.C. 794, 29 U.S.C. 794a, 34 C.F.R. Part 85, 34 C.F.R. Part 86, 34 C.F.R. Part 104, 34 C.F.R. 34-86.201, 41 U.S.C. 701 et seq., Drug-Free Workplace Act of 1988, Vocation Rehabilitation Act of 1973, Drug-Free Schools and Communities Act of 1986	H.R.
3128	Contracts: Employees	Revised	The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board	H.R

POLICY NO	POLICY TITLE	ACTION (New, Revised, Rescind)	SUMMARY POINTS	DIVISION
		ressure,	Policies, Administrative Rules, Procedures, and Guidelines. These proposed revisions do encompass the suggested language from NEOLA.  Specific Legal Authority: F.S.215.425, F.S.1001.42, F.S.1001.43, F.S.1012.22, F.S.1012.32, F.S.1012.33, F.S.1012.335, F.S.1012.34, F.S.1012.56, F.A.C.6A-1.0502, F.A.C.6A-1.064	
3129	Conflict of Interest	Revised	The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board Policies, Administrative Rules, Procedures, and Guidelines. These proposed revisions do encompass the suggested language from NEOLA.  Specific Legal Authority: F.S.1002.411, 2 C.F.R.200.318, 2 C.F.R.200.113, 2 C.F.R.200.112, F.S.112.312, F.S.112.313, F.S.1006.32	H.R
3129.01	Tutoring	Revised	The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board Policies, Administrative Rules, Procedures, and Guidelines. These proposed revisions do encompass the suggested language from NEOLA.  Specific Legal Authority: F.S. 1002.411, F.S. 1002.43	H.R.
3130	Appointment, Assignment, Transfer, and Promotion of Staff	Revised	The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board Policies, Administrative Rules, Procedures, and Guidelines. These proposed revisions do encompass the suggested language from NEOLA.  Specific Legal Authority: F.A.C. 6A-1.0503, F.S. 1012.796, F.S. 1012.795, F.S. 1012.42, F.S. 1012.27, F.S. 1004.04, F.S. 1001.32, F.S. 112.3135, F.S. 1012.22, F.S. 1012.23, F.S. 1012.2315, F.S. 1012.28	H.R.
3132	Vacancies	NEW	New Policy. This policy does encompass the suggested language from NEOLA Specific Legal Authority: F.S. 1012.23	H.R.
3214	Solicitation or Acceptance of Gifts or Unauthorized Compensation	Revised	The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board Policies, Administrative Rules, Procedures, and Guidelines. These proposed revisions do encompass the suggested language from NEOLA.  Specific Legal Authority: F.S. 112.312, F.S. 112.313, F.S. 1006.32, 2 C.F.R. 200.318	H.R.
3220 AMERI	Evaluation of Personnel	Revised	The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board Policies, Administrative Rules, Procedures, and Guidelines. These proposed revisions do encompass the suggested language from NEOLA Specific Legal Authority: F.A.C. 6A-5.0411, F.A.C. 6A-5.030, F.S. 1012.01, F.S. 1012.22, F.S. 1012.28, F.S. 1012.31, F.S. 1012.34	H.R.

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3242	Professional Learning	Revised	The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board Policies, Administrative Rules, Procedures, and Guidelines. These proposed revisions do encompass the suggested language from NEOLA Specific Legal Authority: F.S. 1001.42, F.S. 1011.62, F.S. 1011.67, F.S. 1012.22, F.S. 1012.34, F.S. 1012.56, F.S. 1012.98, F.S. 1012.985, F.S. 1012.986	H.R.
3340	INSTRUCTIONAL STAFF ACCIDENTS AND WORKPLACESAFETY	REVISED – NO NEOLA	This policy is being revised for technical changes only. Legal Authority: F.S. 440 Florida Division of Workers' Compensation	FINANCE
3362	Anit-Harassment	Revised	The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board Policies, Administrative Rules, Procedures, and Guidelines. These proposed revisions do encompass the suggested language from NEOLA.  Specific Legal Authority: F.S. 110.1221, F.S. 250.481, F.S.760.01, F.S. 760.10, F.S. 784.049, F.S.1000.05, F.S. 1006.07, 20 U.S.C. 1400 et seq., 42 U.S.C. 2000d et seq., 42 U.S.C. 2000e et seq., 29 U.S.C. 621 et seq., 29 U.S.C. 794, 29 C.F.R. Part 1635, 29 U.S.C. 6101, 38 U.S.C. 4301 et seq., 42 U.S.C. 12101 et seq., 20 U.S.C. 1681 et seq., 42 U.S.C. 1983, 42 U.S.C. 2000ff et seq.	H.R.
3420	Benefits	Revised	The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board Policies, Administrative Rules, Procedures, and Guidelines.  Particular areas of revision include the following:  Item C. Employee Assistance Program – program changes to be reviewed by the Superintendent.  Item M. Terminal Pay – procedure may be updated by the Superintendent.  These proposed revisions do encompass the suggested language from NEOLA Specific Legal Authority: F.S.1012.33, F.S. 122.08, F.S. 121.1915, F.S. Chapter 121, F.S. 440.491, F.S. 1012.26, F.S. 1012.61, F.S. 1012.65, F.S. 1012.798	H.R./Finance
3430.01 AMERIO	FMLA Leave	Revised	The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board Policies, Administrative Rules, Procedures, and Guidelines. These proposed revisions do encompass the suggested language from NEOLA.	H.R.

POLICY NO	POLICY TITLE	ACTION (New, Revised, Rescind)	SUMMARY POINTS	DIVISION
		,	Specific Legal Authority: F.S. 110.221, F.S. 1012.61, 29 U.S.C. 2601 et seq., 29 C.F.R. Part 825, C.F.R. Part 160, C.F.R. Part 164, National Defense Authorization Act of 2010	
5111.01	Homeless Students	Revised	The revisions to this procedure are intended to align it with the revisions to Policy 5111.01 (see above) and new rule F.A.C Rule 6A-10.088 (Florida McKinney-Vento Program Training and Identification). The term "Homeless Students Liason" is replaced with "McKinney-Vento Liaison" and a section related to training for the McKinney-Vento Liaison and other District personnel is included. Two grammatical changes are also included.  The revisions to Policy 5111.01 are based on F.A.C. Rule 6A-10.088 (Florida McKinney-Vento Program Training and Identification). The revisions include the following: (1) a revised definition section that tracks the definitions contained within the new rule; (2) a new section outlining the District's responsibility to create and utilize a student housing questionnaire(s); (3) changing "Liaison for Homeless Children" to "McKinney-Vento Liaison" to track terminology used in the new rule; and (4) a new section addressing annual and other reporting requirements mandated under the new rule.  The revision to Policy 5111.01 is based on our ongoing work with clients and proactive review of policy templates. The revision includes a reference to language from non-regulatory guidance from the U.S. Department of Education (ED)(Education for Homeless Children and Youth Programs, Non-Regulatory	
AMERI	<b>∵</b> ∧ NI		Guidance) further specifying how the school district may determine whether a child or youth resides in "substandard housing."  Legal Authority: F.S. 743.067 F.S. 1003.01 F.S. 1003.21 F.S. 1009.21 F.S. 1009.25 F.A.C. 6A-10.088 42 U.S.C. 11431 et seq.	
5111.03	Children and Youth in Foster Care	New (2017)	Due to amendments to the McKinney-Vento Homeless Assistance Act through the Every Student Succeeds Act (ESSA), school boards are required to significantly	SS

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			modify their policy addressing homeless students and consider adoption of a new policy about children and youth in foster care. Replacement Policy 5111.01 not only addresses the new requirements mandated by ESSA and reorganizes the content of the existing policy. New Policy 5111.03 implements the changes mandated by these federal laws. Adopting a policy is not required by law; however, Districts are required to do everything set forth in the policy.  This revision is the result of S.B. 662 which replaces the term "District" with "State" in language related to student's transferring to Florida as a result of a	
5112	Entrance Requirements	Revised	military order.  Legal Authority: F.S. 1003.01 F.S. 1003.05 F.S. 1003.21 F.S. 1003.22 F.S. 1006.07 F.A.C. 6A-1.0985	
5120	Assignment Within District	Revised	The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board policies, administrative rules, procedures, and guidelines. In addition, the proposed revisions add language for Junior Reserves Officers' Training Corps. The revisions do encompass the suggested language from NEOLA. Specific Legal Authority: F.S. 1000.05, F.S. 1001.41, F.S. 1002.20, F.S. 1002.31, F.S. 1003.06, F.S. 101.51, F.S. 1001.42, and F.S. 1001.32	C & I
5121	Controlled Open Enrollment	Revised	The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board policies, administrative rules, procedures, and guidelines. In addition, the proposed revisions add language for active-duty military dependents. Also, an addition of expellable offense to one dimension of revocation. A deletion of the process of New to Brevard occurred as we now have ongoing open enrollment, so there is no need for that process. The revisions do encompass the suggested language from NEOLA. Specific Legal Authority: Section 1, Art. IX, Florida Constitution, F.S. 1002.20, F.S. 1002.31, F.S. 1003.03, F.S. 1003.05, and F.S. 1013.35.	C & I
5136	Wireless Communication Devices	Revised	These proposed revisions encompass the suggested language from NEOLA.	SS

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		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	The policy has been revised to incorporate statutory updates from SB 258 and HB 379. The revisions as a result of these bills include, among others, the following: (1) student use of WCDs during instructional time; (2) prohibitions on downloading or accessing prohibited applications using the District's Internet; (3) prohibitions on the installation or use of applications on Board-owned WCDs that are included on a prohibited list maintained by the Florida Department of Management Services; (4) requirements related to remotely wiping and uninstalling prohibited applications on Board-owned WCDs; (5) prohibitions on the use of TikTok or any successor platform	
			Legal Authority:	
			F.S. 316.305	
			F.S. 847.0141	
			F.S. 1003.02 F.S. 1003.32	
			F.S. 1003.32 F.S. 1006.07	
			1.5. 1000.07	
5200	Attendance	Revised	This policy is being revised for technical correction. Legal Authority:  F.S. 984.151 F.S. 1002.20 F.S. 1003.02 F.S. 1003.21 F.S. 1003.23 F.S. 1003.24 F.S. 1003.26 F.S. 1003.27 F.A.C. 6A-1.044, Pupil Attendance Records F.A.C. 6A-1.09512, Equivalent Minimum School Term for Compulsory Attendance Purposes F.A.C. 6A-1.09513, Parents' Responsibility for School Attendance F.A.C. 6A-1.09514, Excused Absences for Religious Instruction or Holiday	SS
A <sup>5310</sup> RII	CAMEALTH SERVICES RSIGHT	Revised	This policy is being revised for a technical change. "Opt-in" language is now being used instead of "Opt-out."  Legal Authority: F.S. 381.0056 20 U.S.C. 1232(h)	SS

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5320	IMMUNIZATION AND HEALTH EXAMINATION	Revised	These proposed revisions encompass the suggested language from NEOLA. Revisions to these policies are the result of HB 213. Policy 2410 specifies that scoliosis screening must occur when students are the "appropriate age." Since scoliosis screening is addressed in Policy 2410, similar language was removed from Policy 5320. Policy 5320 was also revised to include references to the "immunization registry" as set forth in HB 213. Legal Authority: F.S. 1003.22 F.A.C. 64D-3.046, Immunization Requirements: Public and Nonpublic Schools, Grades Preschool, Kindergarten Through 12, and Adult Education Classes	SS
5330	USE OF MEDICATIONS	Revised	These proposed revisions encompass the suggested language from NEOLA.  Revisions to this policy are the result of HB 213. Policy 2410 specifies that scoliosis screening must occur when students are the "appropriate age." Since scoliosis screening is addressed in Policy 2410, similar language was removed from Policy 5320. Policy 5320 was also revised to include references to the "immunization registry" as set forth in HB 213.  Legal Authority: F.S. 1006.062 F.A.C. 6A-6.0253	SS
5330.03	ADMINISTRATION OF EPINEPHRINE BY TRAINED SCHOOL PERSONNEL	New	This policy outlines the training requirements for staff to administer Epinephrine.  Legal Authority: F.S. 381.88 F.S. 1002.20	SS
5335	Care OF STUDENTS WITH CHRONIC HEALTH CONDITIONS	New	This policy outlines requirements for students with chronic health conditions.  HB 173 created new F.S. 1006.0626 (Care of Students with Epilepsy or Seizure Disorders).  To address the new statute, we have revised Policy 5335 to add epilepsy and seizure disorders to the list of chronic health conditions addressed by the policy. We have also proposed a new procedure (referenced below) specifically addressing the handling of epilepsy and seizure disorders.  Legal Authority:  F.S. 381.88	SS
A5350RI	Student Suicide Prevention and Awareness	Revised	These proposed revisions to Policy 5350 are the result of HB 1421. HB 1421 requires that all schools and local mobile response teams use the same suicide screening instrument approved by the Florida Department	SS

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			of Education. This requirement is incorporated through the proposed revisions to Policy 5350.  Additionally, newly-revised F.A.C. Rule 6A-1.0018 requires that each "district" establish policies pursuant to F.S. 1008.386(3) requiring that student identification cards issued to students in grades 6 through 12 include telephone numbers for national or statewide crisis and suicide hotlines and textlines. This new rule requirements is addressed through the proposed revisions to Policy 5350.  F.S. 14.2019; F.S. 14.20195; F.S. 1001.32(2); F.S. 1008.386; F.S. 1012.583; F.A.C. 6A-1.0018; F.A.C. 6A-4.0010	
5410.01	Promotion, Acceleration, Placement, and Retention	Revised	The purpose of the proposed revisions reflects suggested updates from NEOLA Vol. 24, No. 2. These revisions include requirements per statute. The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board Policies, Administrative Rules, Procedures, and Guidelines. These proposed revisions do encompass the suggested language from NEOLA.  Legal Authority: F.S. 1002.3105; F.S. 1003.02; F.S. 1003.4156; F.S. 1008.22; F.S. 1008.25; F.A.C. 6A-1.09422; F.A.C. 6A-1.094221; F.A.C. 6A-1.094222; F.A.C. 6A-6.0533	C & I
5465	GED Tests	Revised	Added NEOLA recommendations regarding students 18 years or older and underage waiver information. Information was added with consultation of Lorri Benjamin, Director Adult and Community Education. F.A.C. 6A-6.0201, F.S. 1003.435	cos
5500	STUDENT CONDUCT	Revised	This policy is revised to identify and define the acts of misconduct that are required to be reported under the school environmental safety incident reporting (SESIR), as required by statutory changes in HB 543. Formatting changes were made to align with NEOLA template.  Legal Authority: F.S. 1006.07 F.S. 1006.13 F.S. 1012.584	SS
A 55 12 R	SMOKING AND TOBACCO- FREE ENVIRONMENT	New	This policy provides information on the smoking and tobacco free environment across all sites. The policy includes definitions, dissemination, and program evaluation annually.  Legal Authority:  F.S. 381.84	SS

POLICY NO	POLICY TITLE	ACTION (New, Revised, Rescind)	SUMMARY POINTS	DIVISION
			F.S. 386.202 F.S. 386.203 F.S. 386.204 F.S. 386.206 F.S. 386.212 20 U.S.C. 6081 et seq. 20 U.S.C. 7182 Florida Department of Health and the Public Health Law Center's publication "Commercial Tobacco-Free K-12 School Model Policy: Questions and Answers."	
5514	Use of Bicycles	New	Policy is new to BPS and option 2 was selected as per board direction. F.S. 1001.43	cos
5515	Use of Motor Vehicles	Revised	Now includes golf cart use F.S. 1001.43	cos
5516	STUDENT HAZING	Revised	These proposed revisions encompass the suggested language from NEOLA to include SB 1080 and includes an expanded definition of "hazing." Procedures for reporting or included in this revision.  Legal Authority: F.S. 1001.43 F.S. 1006.09 F.S. 1006.135	SS
5517.01	Bullying and Harassment  CAN  RSIGHT	Revised	The revisions to Policy 5517.01 are the result of our ongoing work with school districts and amendments to F.A.C. Rule 6A-1.0017. As reflected in the drafting note in the policy, effective January 17, 2023, the terms "severe and pervasive" have been removed from the definitions of "bullying," "bullying-related," and "sexual harassment" in F.A.C. Rule 6A-1.0017. However, the Florida Department of Education's model policy still includes "severe and pervasive" in the definition of bullying and has not yet been updated to match the revisions to F.A.C. Rule 6A-1.0017.  In light of the changes to F.A.C. Rule 6A-1.0017, Policy 5517.01 has been revised to remove the terms "severe and pervasive."  Legal Authority: F.S. 110.1221 F.S. 784.048 F.S. 1002.20 F.S. 1006.13	SS

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		,	F.S. 1006.147 Florida Department of Education Revised Model Policy (April 2016) Elementary and Secondary Education Act	
5610	REMOVAL, OUT-OF- SCHOOL SUSPENSION, DISCIPLINARY PLACEMENT, AND EXPULSION OF STUDENTS	Revised	These proposed revisions encompass the suggested language from NEOLA. Policy 5610 is revised to incorporate statutory changes from HB 1035 relating to what must occur between a teacher and principal when a teacher removes a student from class due to disciplinary reasons.  The option for Earned Return was removed.  Legal Authority: F.S. 120.569 F.S. 120.57 F.S. 1002.20 F.S. 1003.02 F.S. 1003.02 F.S. 1006.07 F.S. 1006.09 F.A.C. Chapter 28-106 18 U.S.C. Section 921	SS
5610.02	IN-SCHOOL DISCIPLINE	Revised	These proposed revisions encompass the suggested language from NEOLA.  Policy 5610.02 was revised to better describe the progressive discipline options that the district might choose to use in lieu of out-of-school suspension.  Legal Authority: F.S. 1006.07	SS
5610.04	SUSPENSION OF BUS RIDING/TRANSPORTATION PRIVILEGES	New	These proposed revisions encompass the suggested language from NEOLA regarding suspensions of riding the bus.  Legal Authority: F.S. 1006.07 F.S. 1006.10 F.A.C. 6A-3.0171	SS
5710	Student and Parent/Legal Guardian Complaints	Revised	The revision to Policy 5710 is the addition of language requiring that the Board publish on its website its policy and process related to parent complaints concerning the implementation of F.S. 1001.42(8)© at their child's school. This revision is based on HB1069.	SS
5724	Preparation for Voter Registration	NEW	Neola with elimination of the program development part. Legal Authority F.S. 1003.42	cos
S771E	Search and Seizure	Revised	These proposed revisions encompass the suggested language from NEOLA.  Policy 5771 includes a new requirement that any search of a student's personal belongings, including a purse, backpack, or bookbag, must be conducted discreetly to maintain the	SS

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			privacy of the student's personal items within such belongings. Also, the policy further specifies that personal items that are not prohibited on school grounds must be immediately returned to the student's personal belongings. These revisions are based on HB 1537. The following was removed because it is not included in NEOLA: Refusal of a reasonable suspicion search will be presumptive confirmation of violation to be handled pursuant to the disciplinary guidelines of the Code of Student Conduct.  Legal Authority: F.S. 901.21 F.S. 933.07 F.S. 1006.09(9) Fla. Const. Art. I, Sec. 2 U.S. Constitution, 4th Amendment	
5780	Student/Parent Rights	Revised	The revisions to Policy 5780 are based on HBs 1537 and 7039. Specifically, students are now permitted to possess and use a medication to relieve headaches while on school property or at a school-sponsored event/activity without a physician's note or prescription if the medication is regulated by the United States Food and Drug Administration for over-the-counter use to treat headaches. The revisions also include changing "Reading Scholarships" to "New Worlds Scholarships" and adding new eligibility requirements related to such scholarships. Finally, notification requirements related to students with substantial reading and/or mathematics deficiencies have been updated.  F.S. 39.201 F.S. 381.0056 F.S. 394.463 F.S. 1000.05 F.S. 1002.20 F.S. 1002.22 F.S. 1002.385 F.S. 1002.39 F.S. 1002.394 F.S. 1002.395 F.S. 1002.40 F.S. 1002.41 F.S. 1002.411 F.S. 1002.43 F.S. 1003.01(13) F.S. 1003.02 F.S. 1003.21 F.S. 1003.22 F.S. 1003.3101 F.S. 1003.32 F.S. 1003.42 F.S. 1003.44 F.S. 1003.4505 F.S. 1003.47 F.S. 1003.52 F.S. 1003.53 F.S. 1003.55 F.S. 1006.15 F.S. 1006.20 F.S. 1006.21 F.S. 1006.22 F.S. 1006.23 F.S. 1006.28 F.S. 1006.40 F.S. 1007.271 F.S. 1008.22 F.S. 1008.25 F.S. 1008.386 F.S. 1012.42 F.S. Chapter 1014	SS
5780.01  AMERIC	Parent/Student Bill of Rights	New	This Special Update is provided in response to recent legislative and agency actions addressing parents' rights and school safety requirements that are in effect as of the start of the 2021-22 school year.  HB 241 (2021) created what is titled Parents' Bill of Rights in Chapter 1014. The bill requires a school district to adopt a policy that directs the district's plans and procedures for promoting parental involvement and notifying parents of specific parental rights. The bill requires a school	SS

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		Rescina)	district to develop procedures for parents to learn about specific parental rights and responsibilities. Additionally, the bill provides a specific definition for parent that should be noted.  SB 590 (2021) is an act relating to school safety. Among other things, SB 590 requires timely notice to parents of specified unlawful acts and significant emergency situations on school grounds, school transportation, or school-sponsored activities. School districts are also required to add specific content to the Code of Student Conduct.  In addition to SB 590, the Florida Department of Education adopted F.A.C. 6A-1.0018 in July 2021. F.A.C. 6A-1.0018 further addresses school safety requirements and monitoring. As a result of SB 590 and F.A.C. 6A-1.0018, two of the policy templates identified below needed to be revised.  F.S. 1002.20 F.S. 1014.02 F.S. 1014.04	
6100	UNIFORM RECORDS AND ACCOUNTS	REVISED	The proposed revisions encompass the suggested language from NEOLA.  Legal Authority: F.S. 1001.42  F.S. 1001.51	FINANCE
6107.01	ELECTRONIC FUNDS TRANSFERS	REVISED	This policy is being revised for technical changes only. Legal Authority: F.S. 668 F.S. 1001.42 F.S. 1001.51	FINANCE
AMERIC 6145EI	BORROWING – SHORT/LONG TERM	REVISED	This policy is being revised for technical changes only. Changed "Associate Superintendent of Financial Services" to "Chief Financial Officer".  Legal Authority:	FINANCE

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			F.S. 1011.12 F.S. 1011.13	
6150	NONRESIDENT TUITION	RESCIND	Recommend rescind policy as this is addressed under policy 5110 Foreign Students.	FINANCE
6235	FUND BALANCE	REVISED	Changed policy number from po6120 to po6235 per Board recommendation. Legal Authority: F.S. 1001.43 F.S. 1001.51 F.S. 1011.18	FINANCE
6470	PAYMENT OF CLAIMS	REVISED	The proposed change encompasses suggested language from NEOLA. Legal Authority: F.S. 1001.43 F.S. 1011.10	FINANCE
6480	EXPENDITURES	REVISED	The proposed change encompasses suggested language from NEOLA. Legal Authority: F.S. 1001.43 F.S. 1001.51 F.S. 1012.22 F.A.C. 6A-1.014	FINANCE
6530	REEMPLOYMENT ASSISTANCE	REVISED	This policy is being revised for technical changes only.  Name change from "Unemployment Compensation" to "Reemployment Assistance".  Legal Authority: F.S. 443.036  F.S. 443.191	FINANCE
6550	AUTHORIZED TRAVEL REIMBURSEMENTS	REVISED	These proposed changes encompass the suggested language from NEOLA. Legal Authority: F.S. 112.061 F.S. 1001.39 F.A.C. 6A-1.056	FINANCE
AMERIC OVE	INTERNAL ACCOUNTS	REVISED	This policy is being revised for technical changes.  The proposed revisions encompass suggested language from NEOLA.  Legal Authority:  F.S. 1001.43  F.S. 1011.18	FINANCE

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		,	F.A.C. 6A-1.085	
7250	Commemoration of School Facilities	Revised	Change the Assistant Superintendents of Leading and Learning to Office of the Chief of Schools to reflect updated organizational titles.	FAC
7300	PROPERTY CUSTODIANSHIP	REVISED	The proposed revisions encompass suggested language from NEOLA. Legal Authority: F.S. 1001.42 F.S. 1001.51	FINANCE
7310	DISPOSITION OF SURPLUS PROPERTY	REVISED	The proposed revisions encompass suggested language from NEOLA. Legal Authority: 2 C.F.R. 200.313 2 C.F.R. 200.312 F.A.C 69I-73.005 F.S. 1013.28 F. S. 1012.33 F.S. 274.07 F.S. 274.06 F.S. 274.05	FINANCE
7440.02	DAMAGE OR LOSS	REVISED	The proposed revisions encompass suggested language from NEOLA. Legal Authority: F.S. 741.24 F.S. 1013.22	FINANCE
7440.03	SMALL UNMANNED AIRCRAFT SYSTEMS	REVISED	This policy is being revised for technical changes only. Legal Authority: 14 C.F.R. Part 107	FINANCE
7450	PROPERTY INVENTORY	REVISED	The proposed revisions encompass suggested language from NEOLA. Legal Authority: F.A.C. 691-73.002 F.S. 274.02 F.S. 1001.43	FINANCE
7510 AMERIO	USE OF DISTRICT CAN FACILITIES RSIGHT	REVISED	This policy is being revised for technical changes only. Legal Authority: F.S. 112.313 F.S. 119.011 F.S. 1001.41 F.S. 1001.42	FINANCE

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			F.S. 1001.51	
7530.01V2	Board-Owned Wireless Communication Devices	New	This NEOLA policy replaces po7530.01 to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board policies, administrative rules, procedures, and guidelines. The new policy will encompass the NEOLA language. Legal Authority: F.S. 112.22, F.S. 316.305, F.S. 316.306	E.T.
7530.01	Staff Use of Cellular Telephones, Pages, and Two-way Radios	Rescind	This policy is being rescinded and replaced with New NEOLA policy po7530.01V2 to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board policies, administrative rules, procedures, and guidelines. The new policy will encompass the NEOLA language.	E.T.
7530.02	Staff And School Officials Use Of Wireless Communication Devices	New	This policy encompasses the suggested language from NEOLA template po7530.02 to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board policies, administrative rules, procedures, and guidelines. The new policy will encompass the NEOLA language. Legal Authority: F.S. Chapter 119, F.S. 316.305, F.S. 316.306, F.S. 1001.41, F.S. 1001.42, F.S. 1001.43, F.S. 1002.221, F.A.C. 6A-10.081, Protecting Children in the 21st Century Act, Pub. L. No. 110-385, Title II, Stat. 4096 (2008), Children's Internet Protection Act (CIPA), Pub. L. No. 106-554 (2001), 20 U.S.C. 1232g, 34 C.F.R. Part 99	E.T.
7540	Technology	Revised	This policy encompasses changes recommended from NEOLA template po7540 to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board policies, administrative rules, procedures, and guidelines. The new policy will encompass the NEOLA language. Legal Authority: F.S. 1001.43, F.S. 1011.62	E.T.
7540.01	Technology Privacy	Revised	This policy encompasses changes recommended from NEOLA template po7540.01 to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board policies, administrative rules, procedures, and guidelines. The new policy will encompass the NEOLA language.  Legal Authority: F.S. 119.011	E.T.
7540.02 AMERIO	Web Content, Apps, And Services	Revised	This policy encompasses the suggested language from NEOLA template po7540.02 to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board policies, administrative rules, procedures, and guidelines. The new policy will encompass the NEOLA language and include policy name change. Legal Authority: F.S. 104.31(1)(a), F.S. 110.233(2), F.S. 110.233(4), F.S. 112.313(6), F.S. 1001.32(2), F.S. 1001.42, H.R. 4577, P.L. 106-554, Children's Internet Protection Act of 2000	E.T.

POLICY NO	POLICY TITLE	ACTION (New, Revised, Rescind)	SUMMARY POINTS	DIVISION
7540.03	Student Internet Safety And Acceptable Use	Revised	This policy encompasses the suggested language from NEOLA template po7540.03 to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board policies, administrative rules, procedures, and guidelines. The new policy will encompass the NEOLA language and include policy name revision. Legal Authority: F.S. 1001.43, F.S. 1001.51, F.S. 1003.02, F.A.C. 6A-1.0955, P.L. 106-554, Children's Internet Protection Act of 2000, 47 U.S.C. 254(h),(1), Communications Act of 1934, as amended, 20 U.S.C. 6301 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended, 20 U.S.C. 6777 (2003), 20 U.S.C. 9134 (2003), 18 U.S.C. 2256, 18 U.S.C. 1460, 18 U.S.C. 2246, 47 C.F.R. 54.500, 47 C.F.R. 54.501, 47 C.F.R. 54.502, 47 C.F.R. 54.503, 47 C.F.R. 54.504, 47 C.F.R. 54.505, 47 C.F.R. 54.506, 47 C.F.R. 54.507, 47 C.F.R. 54.508, 47 C.F.R. 54.515, 47 C.F.R. 54.516, 47 C.F.R. 54.517, 47 C.F.R. 54.518, 47 C.F.R. 54.519, 47 C.F.R. 54.520, 47 C.F.R. 54.522, 47 C.F.R. 54.523	E.T.
7540.04	Staff Technology Acceptable Use And Safety	Revised	This policy encompasses the suggested language from NEOLA template po7540.04 to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board policies, administrative rules, procedures, and guidelines. The new policy will encompass the NEOLA language and include policy name revision. Legal Authority: F.S. 112.22, F.S. 847.012, F.S. 1001.41, F.S. 1003.02, F.S. 1012.32, P.L. 106-554, Children's Internet Protection Act of 2000, 47 U.S.C. 254(h),(1), Communications Act of 1934, as amended, 20 U.S.C. 6301 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended, 20 U.S.C. 6777 (2003), 20 U.S.C. 9134 (2003), 18 U.S.C. 2256, 18 U.S.C. 1460, 18 U.S.C. 2246, 18 U.S.C. 2256, 18 U.S.C. 1460, 18 U.S.C. 2246, 47 C.F.R. 54.500, 47 C.F.R. 54.501, 47 C.F.R. 54.502, 47 C.F.R. 54.503, 47 C.F.R. 54.504, 47 C.F.R. 54.505, 47 C.F.R. 54.513, 47 C.F.R. 54.514, 47 C.F.R. 54.515, 47 C.F.R. 54.516, 47 C.F.R. 54.517, 47 C.F.R. 54.518, 47 C.F.R. 54.519, 47 C.F.R. 54.520, 47 C.F.R. 54.522, 47 C.F.R. 54.523	E.T.
7540.05	District-Issued Staff E-Mail Account	Revised	This policy encompasses the suggested language from NEOLA template po7540.05 to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board policies, administrative rules, procedures, and guidelines. The new policy will encompass the NEOLA language and include name change. Legal Authority: F.S. 119.011, F.S. 257.05, F.S. 668.60 et seq., F.S. 668.701 et seq., F.S. 847.012	E.T.
7540.06	District-Issued Student E- Mail Account	New	This policy encompasses the suggested language from NEOLA template po7540.06 to ensure compliance with all applicable federal and state laws, Florida State	E.T.

POLICY NO	POLICY TITLE	ACTION (New, Revised, Rescind)	SUMMARY POINTS	DIVISION
		Resumer	Board of Education Rules, Board policies, administrative rules, procedures, and guidelines. The new policy will encompass the NEOLA language.	
7540.08	Mobile Computing Device Assignment And Use	Rescind	This policy is being rescinded. NEOLA po7530.01, po7540.03, & po7540.04 covers this material.	E.T.
7540.10	District Web Services Policy	Rescind	This policy is being rescinded. This material is covered in NEOLA policy 7540.02 that will encompass the NEOLA language.	E.T.
7540.12	Network Access From Personally-Owned Computers and Other Web-Enabled Devices	Rescind	This policy is being rescinded and replaced with New NEOLA policy 7530.02 to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board policies, administrative rules, procedures, and guidelines. The new policy will encompass the NEOLA language.	E.T.
7540.13	Utilization of the District's Website	Rescind	This policy is being rescinded and replaced with New NEOLA policy po7543 to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board policies, administrative rules, procedures, and guidelines. The new policy will encompass the NEOLA language.	E.T.
7540.99	Internet Filtering Policy	Revised	This policy is being renumbered from 7540.06 to 7540.99 as it conflicts with NEOLA po7540.06.	E.T.
7542	Access To District Technology And/Or Information Resources From Wireless Communication Devices	New	This policy encompasses the suggested language from NEOLA template po7542 to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board policies, administrative rules, procedures, and guidelines. The new policy will encompass the NEOLA language.	E.T.
7543	Utilization Of The District's Website And Remote Access To The District's Network	New	This NEOLA policy replaces po7540.13 to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board policies, administrative rules, procedures, and guidelines. The new policy will encompass the NEOLA language.	E.T.
8141	Mandatory Reporting	Revised	Added NEOLA recommendation for parental notification F.S. 1012.797, 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)	cos
8420	EMERGENCY MANAGEMENT, EMERGENCY PREPAREDNESS, AND EMERGENCY RESPONSE AGENCIES	REVISED	Addition of Alyssa's Alert/Mobile Panic System  Specific Legal Authority: F.A.C. 6A-1.0018, F.S. 633.2.2, F.S. 1001.43, F.S. 1006.07, F.S. 1013.13, Fire Code (NFPA 101), Life Safety Code (NFPA 101)	Operations
A8453-RI	A Direct Contact Communicable Diseases	Revised	The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board	Operation

POLICY NO	POLICY TITLE	ACTION (New, Revised, Rescind)	SUMMARY POINTS	DIVISION
			Policies, Administrative Rules, Procedures, and Guidelines. These proposed revisions do encompass the suggested language from NEOLA.  Specific Legal Authority: F.S. 1001.41, F.S. 1003.42, F.S. 1006.07	
8462	Student Abuse, Abandonment, and Neglect	Revised	This policy was revised to clarify that employees who report abuse, abandonment and/or neglect of a student may be entitled to certain statutory liability protections as set forth in F.S. 39.203. These revisions are the result of 2018-5.  F.S. 39.01(47); F.S. 39.201; F.S. 39.202; F.S. 39.203; F.S. 39.204; F.S. 39.205; F.S. 39.206; F.S. 39.303; F.S. 383.402; F.S. 1001.41; F.S. 1001.42; F.S. 1006.061; F.S. 1012.98	SS
8470	COMMUNITY NOTIFICATION OF REGISTERED SEXUAL PREDETORS/SEX OFFENDERS	REVISED	Addition of Raptor usage language. These proposed revisions do not encompass the suggested language from NEOLA.  Specific Legal Authority: F.S. 119.011; F.S. 775.21; F.S. 775.25; F.S. 943.0435; F.S. 1012.22	Operations
8600	TRANSPORTATION	REVISED	Addition of language for stop arm cameras. These proposed revisions do encompass the suggested language from NEOLA.  Specific Legal Authority: F.S. 316.173, F.S. 316.183(3), F.S. 316.217(1)(b), F.S. 1006.21, F.S. 1006.22, F.S. 1006.23, F.S. 1011.68, F.S. 1012.45, F.A.C. Chapter 6A-3	Operations
8600.04	BUS DRIVER CERTIFICATION	REVISED	Clarifying criteria that will exclude a driver candidate from becoming a certified school bus driver. These proposed revisions do encompass the suggested language from NEOLA.  Specific Legal Authority: F.S. 1012.45, F.S. 6A-3.0141, F.A.C. 6A-3.0151, 49 C.F.R. Part 40, 49 C.F.R. Part 382	Operations
8605	SCHOOL BUS SAFETY PROCEDURES	REVISED	This policy is being revised for technical changes only. (BPS created)	Operations
8606	SCHOOL BUS DRIVER CELLULAR PHONE USE	REVISED	This policy is being revised for technical changes only.  Specific Legal Authority: F.S. 1006.21, F.S. 1006.22, F.A.C. 6A-3.0171(s)(c), F.A.C. 6A-3.0171(2)(e)	Operations
8610	TRANSPORTATION ROUTE PLANNING	REVISED	This policy is being revised for technical changes only. Ap8610.01 is being updated for technical changes as well. F.S. 1006.21, F.S. 1006.22	Operations
8625	Ban On Texting While Driving	NEW	This proposed addition does encompass the suggested language from NEOLA.  Specific Legal Authority: F.S. 316.305	Operations
A 8651 RI	EMPLOYEE TRANSPORTATION	REVISED	These proposed revisions do encompass the suggested language from NEOLA.  Specific Legal Authority: F.S. 1006.21	Operations

POLICY NO	POLICY TITLE	ACTION (New, Revised, Rescind)	SUMMARY POINTS	DIVISION
8660	TRANSPORTATION BY PRIVATE VEHICLE	REVISED	These proposed revisions do encompass the suggested language from NEOLA.  Ap8660 is also being updated to make the changes from NEOLA.  Specific Legal Authority: F.S. 1006.22	Operations
8805	Policy on Religious Expression	New	The policy is being added using NEOLA language F.S. 1002.206	COS
8810	THE AMERICAN FLAG	NEW	New Policy. This policy does encompass the suggested language from NEOLA Specific Legal Authority: F.S. 1000.06; F.S. 1001.41; F.S. 1003.44; U.S. Public Law No. 623, as amended by U.S. Public Law No. 829	Operations
9270	Home Education Program	Revised	This encompasses changes from NEOLA Volume 18, No.1 and Volume 19, No.1.  The minor revision proposed to this policy makes it optional for school boards to require new home-education students to comply with residency verification requirements set forth in Florida law and Policy 5112 - Entrance Requirements.  The Superintendent should recommend adoption of this policy, and the Board should take such action so that its policies are legally correct.  Revisions include provisions addressing that the District is not to assign a grade level to a home school student, registration requirements, notification requirements, participation in certain activities, and other minor matters.  Legal Authority: F.S. 490.003; F.S. 1001.32(2); F.S. 1001.41; F.S. 1002.20; F.S. 1002.41; F.S. 1002.45; F.S. 1003.01; F.S. 1003.21; F.S. 1003.26; F.S. 1006.03; F.S. 1006.15; F.S. 1007.27; F.S. 1007.271; F.A.C. 6A-6.0331, General Education Intervention Procedures, Evaluation, Determination of Eligibility, Reevaluation and the Provision of Exceptional Student Education Services	SS
9800	Charter Schools	Revised	The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board policies, administrative rules, procedures, and guidelines. In addition, the proposed revisions add language for Resolution of Student Health, Safety, or Welfare Complaints. The revisions do encompass the suggested language from NEOLA. Specific Legal Authority: F.S. 39.203, F.S. Chapter 120, F.S. 218.39, F.S. 218.391, F.S. 218.503, F.S. 286.23, F.S. 768.095, F.S. 1001.10, F.S. 1001.41, F.S. 1001.41, F.S. 1002.31, F.S. 1002.33, F.S. 1003.3301, F.S. 1002.345, F.S. 1008.31, F.S. 1008.34, F.S. 1011.60, F.S. 1012.01, F.S. 1012.315, F.S. 1012. 32, F.S. 1013.12, F.A.C.	C & I

POLICY NO	POLICY TITLE	ACTION (New, Revised, Rescind)	SUMMARY POINTS	DIVISION
			6A-1.0081, F.A.C. 6A-1.099827, F.A.C. 6A-2.0020, F.A.C. 6A-6.0781, F.A. C. 6A-6.0784, F.A.C. 6A-6.0786, F.A.C. 6A-6.07862, and F.A.C. 6A-6.0787.	

2261.01	Parent Participation In	Reviewed/No
2201.01	Title I Programs	Revisions
2261.02	Parents'/Legal Guardians'	Reviewed/No
2201.02	Right To Know	Revisions

2262	School Age Child Care	Reviewed/No Revisions	cos
2330	Homework	Reviewed/No Revisions	cos
2416	Student Privacy And Parental Access To Information	Reviewed/No Revisions	
2431	Interscholastic Athletics	Reviewed/No Revisions	cos
2431.03	Concussion And Head Injuries	Reviewed/No Revisions	cos
2432	Driver Education	Reviewed/No Revisions	cos
2531	Copyrighted Works	Reviewed/No Revisions	cos
2540	Audio Visual Use	Reviewed/No Revisions	cos
2605	Research And Evaluation	Reviewed/No Revisions	cos
2800	Educational Services For Students In Department of Juvenile Justice Education Programs	Reviewed/No Revisions	cos
3430.02	Domestic Violence Leave	Reviewed/No Revisions	
5440	Student Progress Through Mastery Learning	Reviewed/No Revisions	
5517	Anti-Harassment; Compliance Officers; Complaint And Investigation Procedures	Reviewed/No Revisions	
5610.05	Participation In Extra- Curricular Activities	Reviewed/No Revisions	cos
5722	School-Sponsored Publications And Productions	Reviewed/No Revisions	cos
A 5730 RI	Equal Access For Nondistrict-Sponsored	Reviewed/No Revisions	cos

	Student Clubs Or Activities		
5830	Student Fund-Raising	Reviewed/No Revisions	cos
5840	Student Groups	Reviewed/No Revisions	cos
5845	Student Activities	Reviewed/No Revisions	cos
5850	School Social Events	Reviewed/No Revisions	cos
5880	Public Performances By Students	Reviewed/No Revisions	
5895	Student Employment	Reviewed/No Revisions	
6105	FACSIMILE SIGNATURE	Reviewed/No Revisions	FINANCE
6140	Public Depository	Reviewed/No Revisions	FINANCE
6144	Investments	Reviewed/No Revisions	FINANCE
6510	Payroll Authorization	Reviewed/No Revisions	FINANCE
6520	Payroll Deductions	Reviewed/No Revisions	FINANCE
6521	Tax Sheltered Annuity Plans And Accounts	Reviewed/No Revisions	FINANCE
6605	Crowdfunding	Reviewed/No Revisions	FINANCE
7110	Student Acomodation	Reviewed/No Revisions	
7130	Implementation And Management Of School Concurrency	Reviewed/No Revisions	
7240	Site Acquisition	Reviewed/No Revisions	
47420 RI	Sanitation And Housekeeping	Reviewed/No Revisions	

7540.07	Network Change	Reviewed/No	
7540.07	Management Policy	Revisions	
8400	Environmental Health	Reviewed/No	
8400	And Safety Issues	Revisions	
	Reports Of Suspicious	Reviewed/No	
	Activity And Potential	Revisions	
8406	Threats To Schools,		
	Facilities, Students, And		
	Employees		
8407	Safe-School Officers	Reviewed/No	
		Revisions	
8410.01	Critical Incident Response	Reviewed/No	
0-10.01		Revisions	
	Criminal Background And	Reviewed/No	
8475	Employment Non-District	Revisions	
	Personnel		
8500	Food Services	Reviewed/No	
		Revisions	
	School Bus Driver	Reviewed/No	
8604	Working Hours Safety	Revisions	
	Procedures		
	Transportation For Field	Reviewed/No	
8640	And Other District	Revisions	
	Sponsored Trips		

6234	USE OF DISCRETIONARY	NOT	We don't receive lottery funds.	FINANCE
NEOLA Only	LOTTERY FUNDS	ADOPTING	we don't receive lottery runus.	
830 NEOLA Only	CONTINUITY OF ORGANIZATIONAL OPERATIONS PLAN	NOT ADOPTING	Not currently adopting until existing BPS Continuity of Operations Plan (COOP) is updated with organizational changes, finalized, and implemented per NEOLA recommendation.	Operations
8645	USE OF SCHOOL BUSES	NOT ADOPTING	Not adopting as it allows people to rent our vehicles but to do so we would need to remove all BPS identification.	Operations





## The School Board of Brevard County, Florida 2700 Judge Fran Jamieson Way, Viera, FL 32940

## **REQUEST FOR RECONSIDERATION OF MATERIALS**

**DIRECTIONS**: This form shall be used to challenge instructional materials already adopted and in use in the classroom and/or other media material placed in the school's media center.

Information Regarding Materials for Reconsideration
Type of material:  Book   Video/DVD   CD/MP3   Adopted Textbook   Periodical   Audio Book   Other (please specify)
Title of material:  Author(s):  Publisher/Producer:  Copyright date:
<ul> <li>1. Section 1006.40(3)(d), Florida Statutes, requires that any materials purchased thereunder, must be:</li> <li>Free of pornography and materials prohibited under § 847.012.</li> <li>Suited to student needs and their ability to comprehend the material presented.</li> <li>Appropriate for the grade level and age group for which the materials are used or made available.</li> </ul>
*Please select (above) which portion of the cited Florida Statute that you feel most captures your objection to the material.
What brought this material to your attention?  ———————————————————————————————————
3. Did you examine the entire material? If not, what parts did you examine?
The year examine the entire materials.
4. Required -To what in the material do you object? (Please be specific cite pages, picture, film sequence, etc.)
5. What do you feel might be the result of a student using this material?



6.	□ K-2	□ 7-8	equest reconsideration	on ? Check your choice(s).	
	□ 3-5	□ 9-10 □ 11-12			
7.	☐ 6 In your opinion, is	there anything of valu	e in this material?		
		, ,			
8.	Have you read an	y critical reviews of thi	s material? If so, wha	t? Please be specific.	
9.	□ Do not a □ Withdrav	ke the school to do ab ssign it to my child. v it from all students in Please explain)	•	,	
10.	If this material is v a substitute?	vithdrawn, what materi	al of the same subjec	ct and format would you sugg	est as
for verif his/her for a dis	ication of residence concerns at the hear	and for communication pring. With option 2, the path that the petitioner is a re	ourposes. Petitioners in petitioner can submit ar	1, the petitioner provides inform option 1 will have the ability to nonymously but must submit in p s petitioner must also submit an	present person
	1 for submission via				
Оршоп	T TOT GUDTINGGIOTI VIA	•	S Contact Information	on	
Reque	stor's Name:	•			
Reques	stor's Address:	(Last)		(Middle)	
Email A	Address:	(Street Address)	(City)	(State) (Zip Code)	
Home	Phone:		Cell Phone:		
Reque	stor's Signature	Physical Signature Require	ed)	Date	





Option 2 must submit in person

Anonymous Submission
Residence Check – by district official:

Official's Name: Signature:

Petitioner's Email Address: Required

FOR ADMINISTRATIVE USE ONLY:				
Date Received:	Received by:			
School Materials Review Commit	tee Meeting Date:	Outcome:		
District-Level Materials Review Committee Meeting Date: (if applicable) Outcome:				



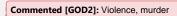
The following is only a sample of the inappropriate content of this book.

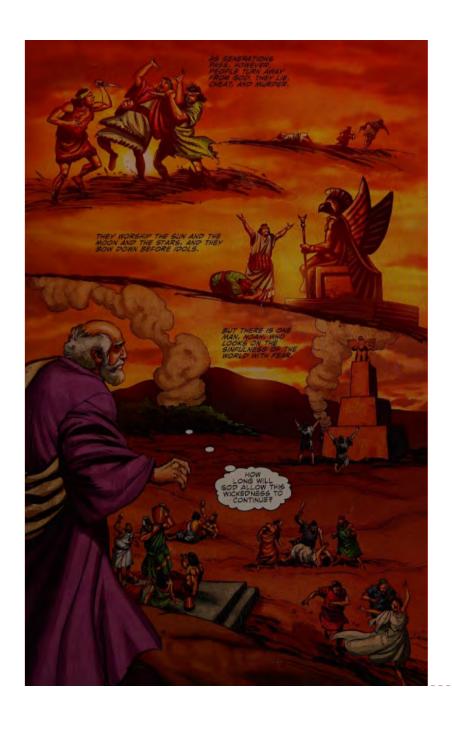




Commented [GOD1]: Explicit murder









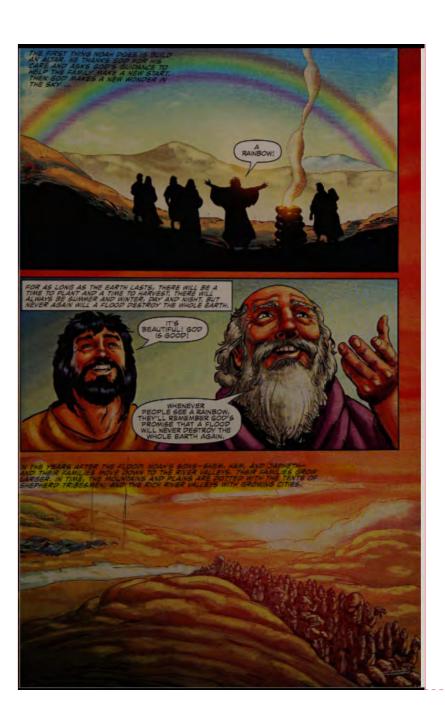


Commented [GOD3]: Mass murder, genocide









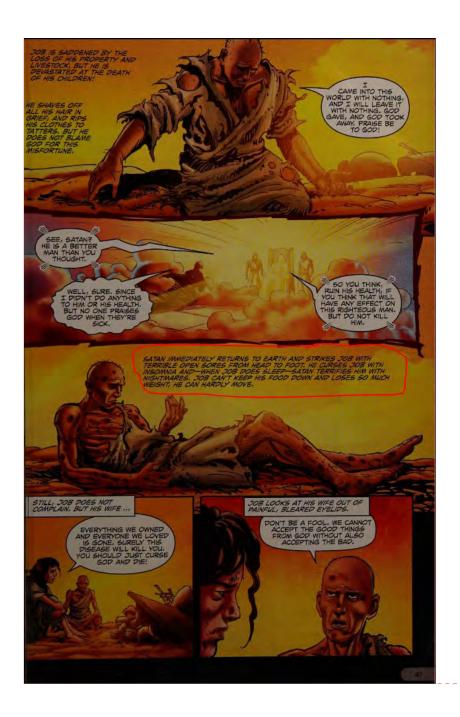
Commented [GOD4]: Incest





Commented [GOD5]: Violence, murder, vengeance





Commented [GOD6]: Hatred, evilness, explicit imagery



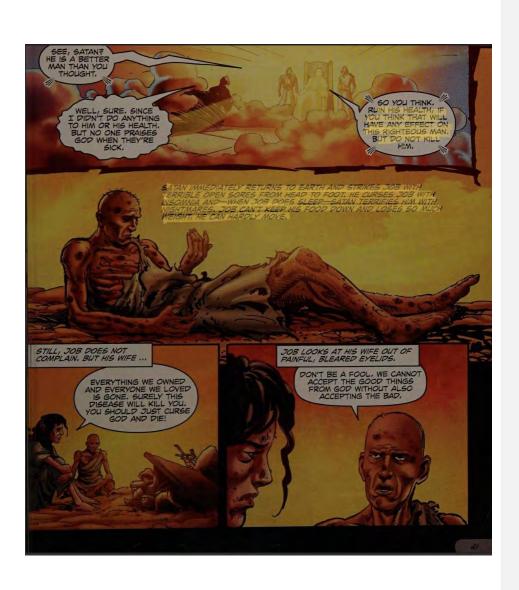


Commented [GOD7]: Bullying, threats, gaslighting













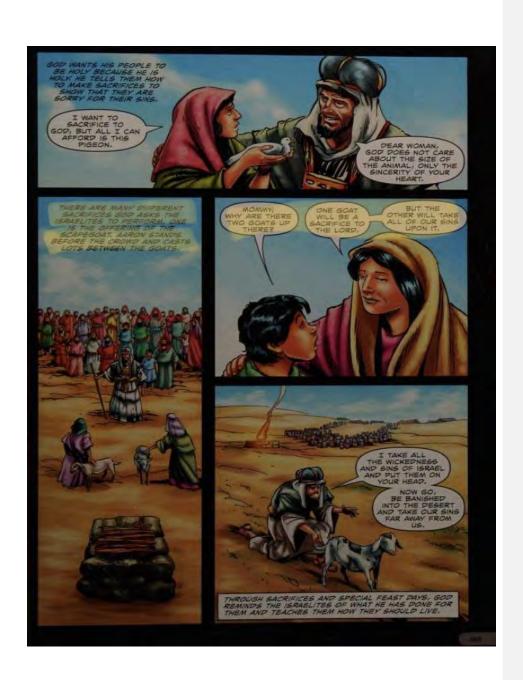








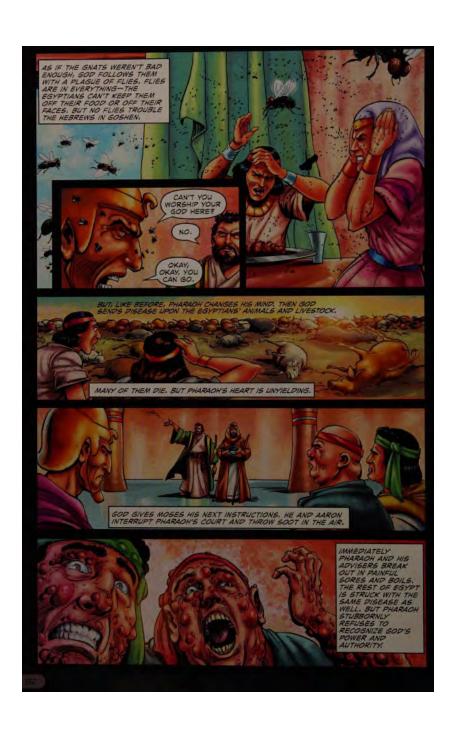




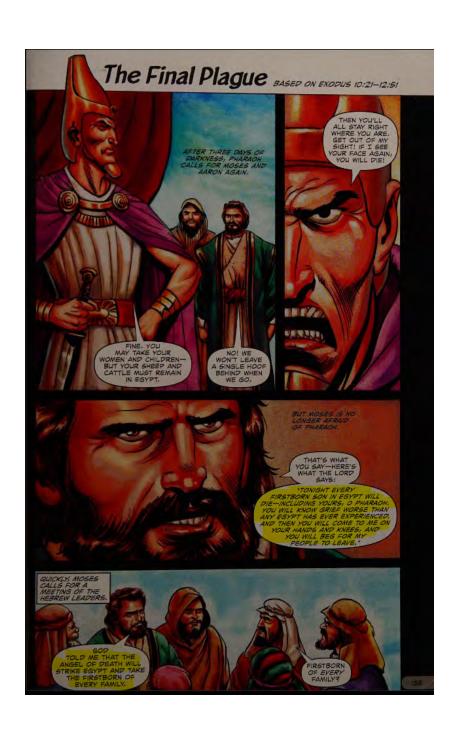




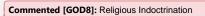


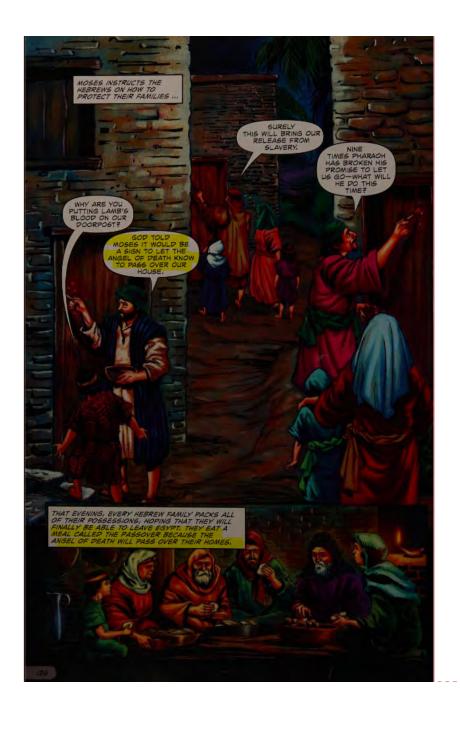




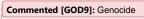


















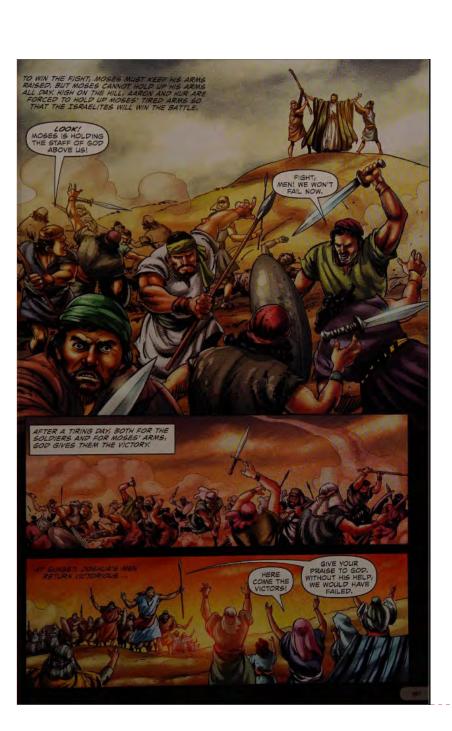
Commented [GOD10]: Slavery, Human Trafficking





Commented [GOD11]: Mass murder

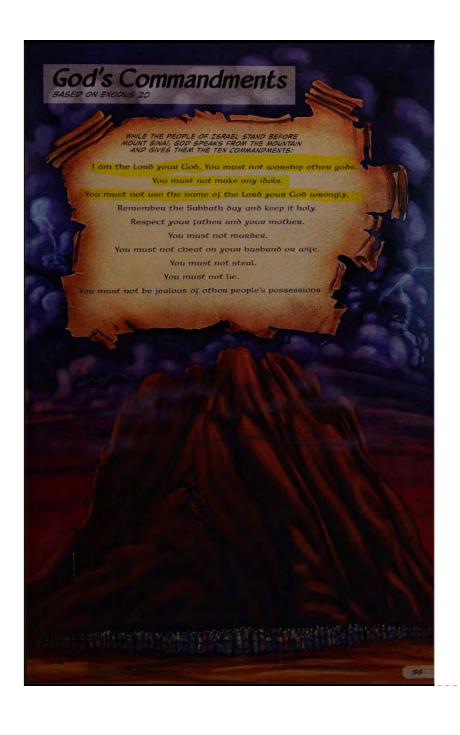




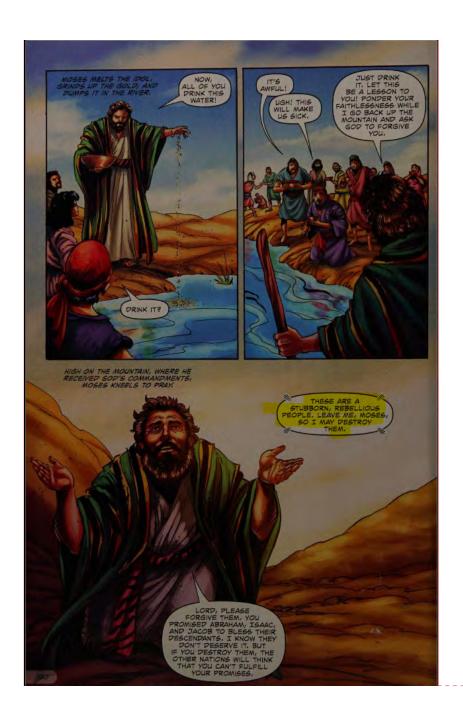
Commented [GOD12]: Explicit violence



Commented [GOD13]: Religious indoctrination

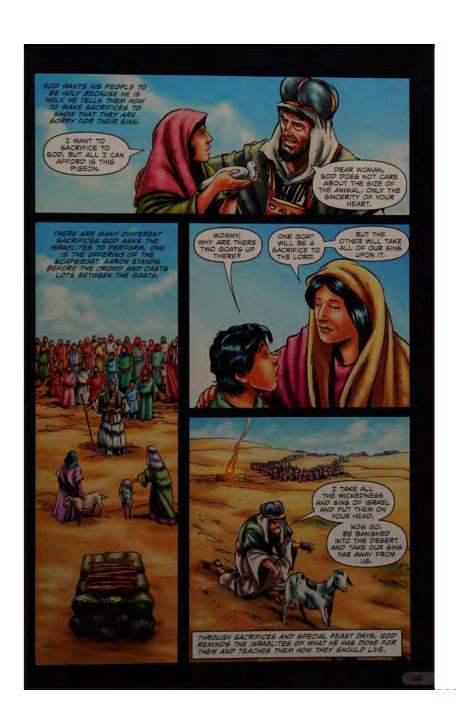






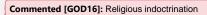
Commented [GOD14]: Threatening violence and genocide





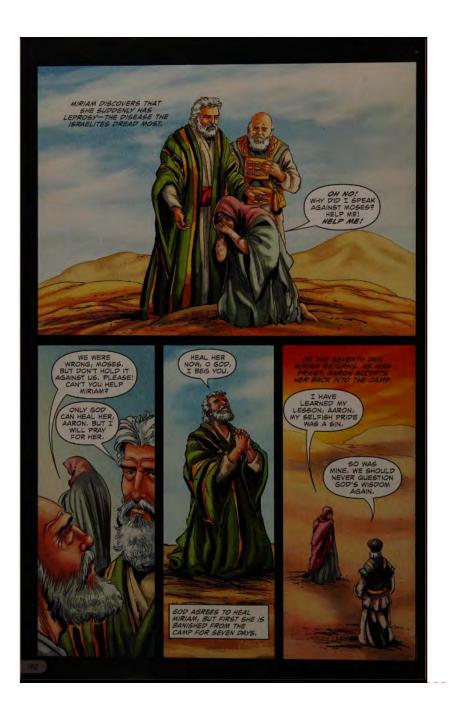
Commented [GOD15]: Animal cruelty, animal sacrifice





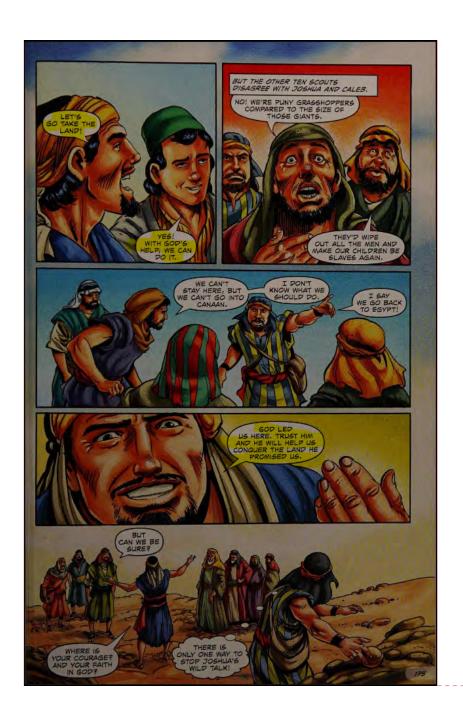






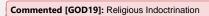
**Commented [GOD17]:** Religious indoctrination. God cannot heal leprosy.

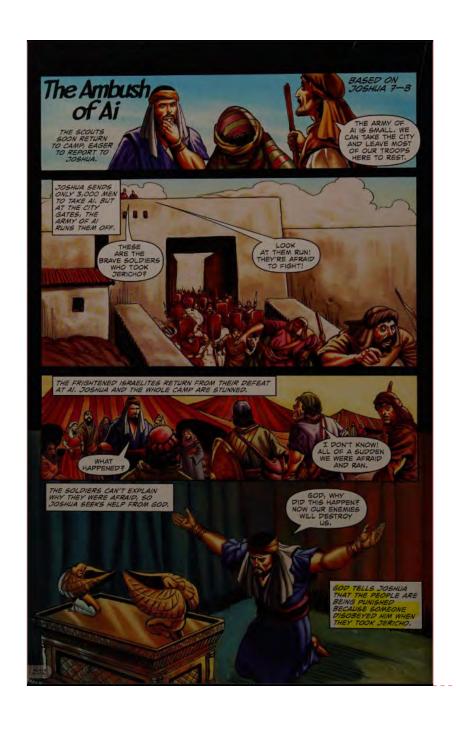




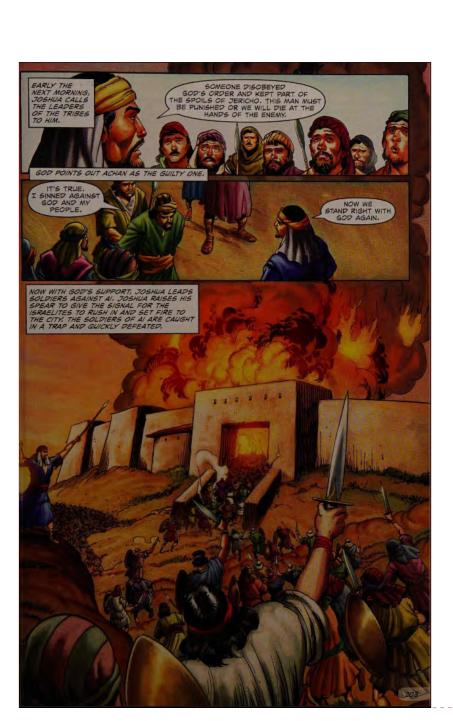
**Commented [GOD18]:** Religious indoctrination. Illegal war.





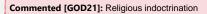


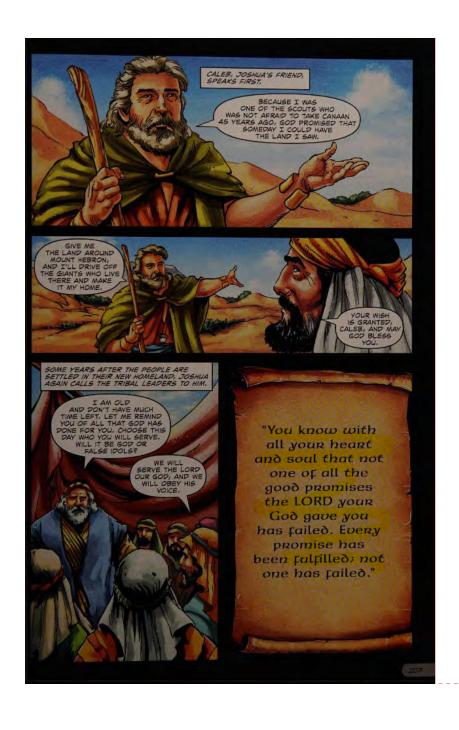




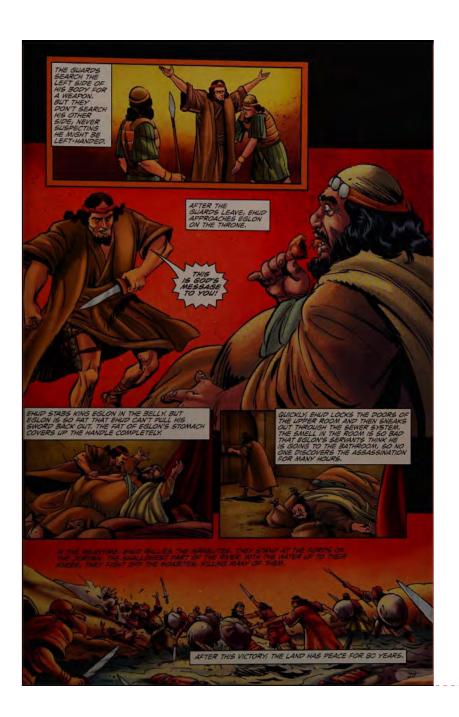
Commented [GOD20]: Murder and illegal war





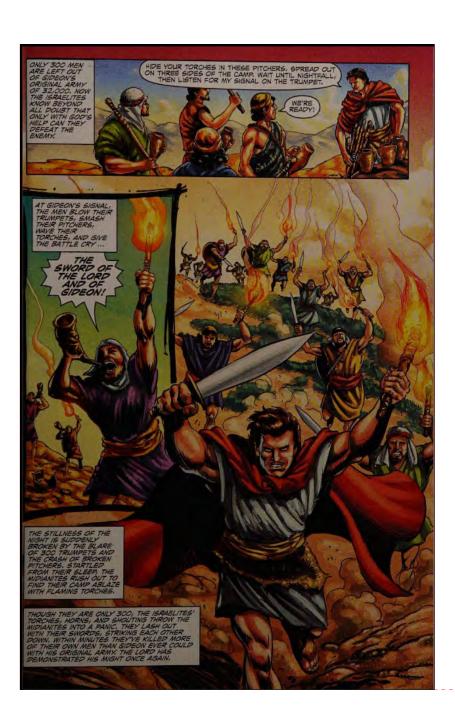






**Commented [GOD22]:** Murder. Explicit violence and death.





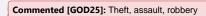
Commented [GOD23]: Explicit murder and violence

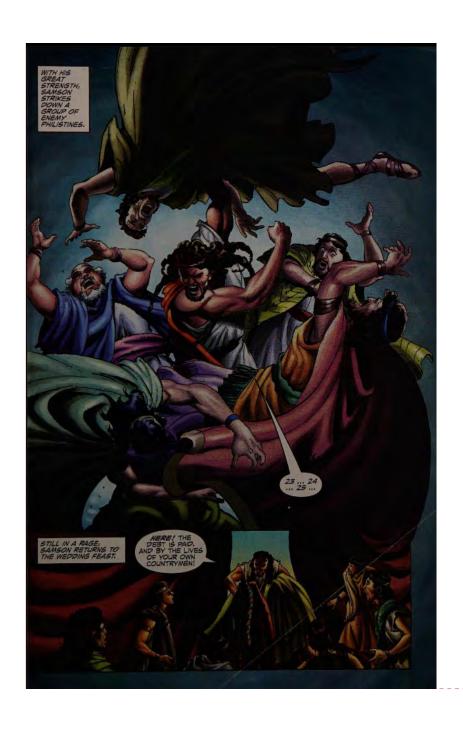




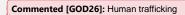
**Commented [GOD24]:** Animal cruelty and animal sacrifice

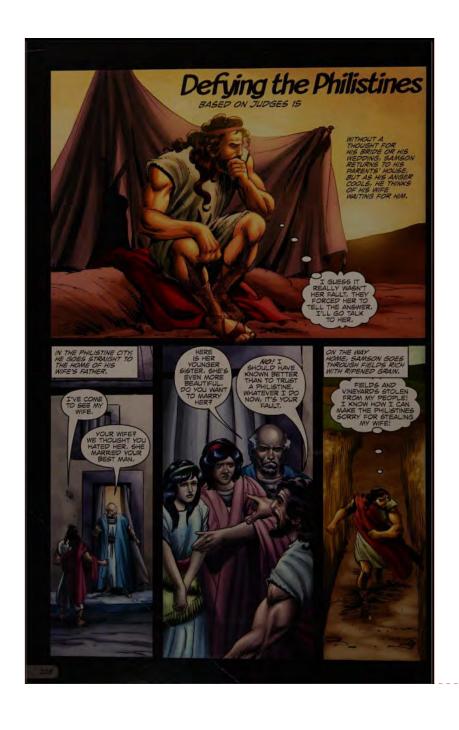




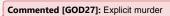


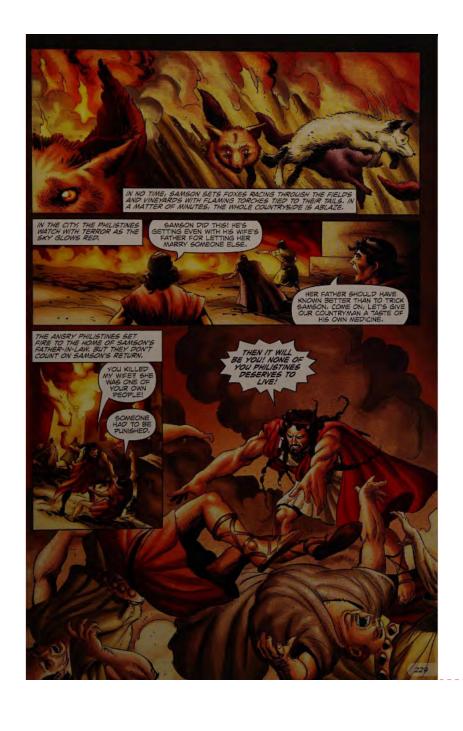
















Commented [GOD28]: Fraud, deception





## The School Board of Brevard County, Florida 2700 Judge Fran Jamieson Way, Viera, FL 32940

#### **REQUEST FOR RECONSIDERATION OF MATERIALS**

**DIRECTIONS**: This form shall be used to challenge instructional materials already adopted and in use in the classroom and/or other media material placed in the school's media center.

Information Regarding Materials for Reconsideration				
Type of material:  Book   Video/DVD   CD/MP3   Adopted Textbook   Periodical   Audio Book   Other (please specify)				
Title of material:Author(s):Publisher/Producer:Copyright date:				
<ol> <li>Section 1006.40(3)(d), Florida Statutes, requires that any materials purchased thereunder, must be:</li> <li>Free of pornography and materials prohibited under § 847.012.</li> <li>Suited to student needs and their ability to comprehend the material presented.</li> <li>Appropriate for the grade level and age group for which the materials are used or made available.</li> </ol>				
*Please select (above) which portion of the cited Florida Statute that you feel most captures your objection to the material.				
What brought this material to your attention?				
Did you examine the entire material? If not, what parts did you examine?				
4. Required -To what in the material do you object? (Please be specific cite pages, picture, film sequence, etc.)				
5. What do you feel might be the result of a student using this material?				



6.	For what grade I	evel group would you re □ 7-8	equest reconsideration	on ? Check your choice(s).					
	□ 13-2 □ 3-5	□ 7-8 □ 9-10							
	□ 6	□ 11-12							
7.	In your opinion, is	s there anything of value	e in this material?						
8.	Have you read a	at? Please be specific.							
9. What would you like the school to do about this material? (Check your choice.)  □ Do not assign it to my child.									
	<ul><li>□ Withdraw it from all students in the identified grade level groups.</li><li>□ Other: (Please explain)</li></ul>								
10.	If this material is a substitute?	withdrawn, what materia	al of the same subje	ct and format would you sugge	est as				
for verif his/her for a dis	ication of residence concerns at the hea	and for communication puring. With option 2, the purither that the petitioner is a res	urposes. Petitioners in petitioner can submit a	n 1, the petitioner provides information option 1 will have the ability to present the properties of the petitioner must also submit an expeditioner must also submit an expedit or the province of the pro	resent erson				
Option	1 for submission via	email or in person							
D	atawa Nama		Contact Information	on					
Reque	stor's Name:	(Last)	(First)	(Middle)					
Reque	stor's Address: _	(Ctus at Addus as)	(C:4)	(Ctata) (7in Cada)					
Email Address:		(Street Address)	(City)	(State) (Zip Code)					
Home	Phone:		Cell Phone:						
Reque	stor's Signature	(Physical Signature Require	d)	Date					





Option 2 must submit in person

Anonymous Submission

Residence Check – by district official:

Official's Name:

Signature:

Petitioner's Email Address: Required

FOR ADMINISTRATIVE USE ONLY:							
Date Received:	Received by:						
School Materials Review Co	ommittee Meeting Date:	Outcome:					
District-Level Materials Rev	ew Committee Meeting Date: (if applicable)	Outcome:					



# When the world began

In the beginning, God made the world. Sunshine warmed it, plants covered it, and animals and birds filled it with play and song. God made people to enjoy this wonderful world – a man called Adam, and a woman called Eve.

God planted a beautiful garden and gave them everything they needed, because he loved them. "You may eat the fruit from any tree in the garden, except one," God said.

Eve looked at the tree God showed them. The fruit looked tasty. "It's not safe to eat," warned God. "If you eat it, you will have to leave my garden."

Commented [GOD1]: Christian religion references

## Noah listens to God

Adam and Eve had children. These children had their own families, and so the number of people grew. But they all liked to argue and fight. Only one man was good. His name was Noah, and he loved God.

"Listen to me," God said to Noah. "I will make it rain like it's never rained before. You must build an enormous boat, called an ark."

"Are you sure?" asked Noah, looking at the cloudless sky.

Commented [GOD2]: Incest



Abraham waited a long, long time. Nothing happened. "God always keeps his promises," thought Abraham, so he waited some more.

Sarah was not so sure. "I am getting old," she sighed. "I don't think I will ever be a mother."

One day, Abraham was sitting at the door of his tent when three visitors appeared.

"Sarah!" called Abraham. "We must welcome them! Will you bake some bread and prepare a meal?"

Sarah brought food to the visitors and left them talking to Abraham. But she stayed nearby so she could listen to what they were saying.

"Next year we will come back," said one of the visitors, "and by then you will have your own little boy."

Sarah burst out laughing. She was too old for babies! Those strangers were talking nonsense!

"Why are you laughing?" asked the visitor. "Nothing is too hard for God."

Abraham and Sarah realized the visitors were angels. The following year, Sarah had a baby boy, just as the angels had said.

Abraham called the baby Isaac. He smiled as he held his new son. "God always keeps his promises," he said.

Commented [GOD3]: Christian religion references



The baby in a basket

God's special family grew, just as he promised. Isaac's
Grandchildren and their families moved to Egypt, where there
was plenty of food for everybody.

But as the years went by, they were no longer welcome. The new
king of Egypt made them work hard on his building sites.

"There are just too many of these people!" declared the king.

"We must do something about it!" He ordered that all their baby
boys must be thrown into the river.

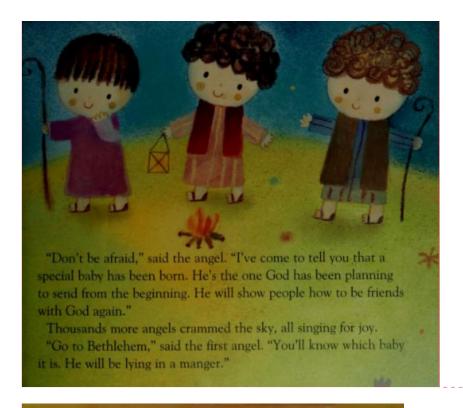
Commented [GOD4]: Murder.



Daniel did not want to break any rules, but he knew that God was more important than the king. Three times every day he prayed at an open window, where everyone could see. The servants hurried to tell the king. "Remember the rule!" they hissed. "Daniel must be thrown to the lions." The king was upset, but he knew that he must keep his word, or nobody would ever listen to him. The king kept his lions in a great pit. His servants threw Daniel in. The lions were hungry; they were sure to eat Daniel. The king was so worried that he couldn't sleep all night. When morning came, he rushed to the lion pit. To his astonishment, Daniel was safe! "God sent an angel to protect me," explained Daniel. "The lions didn't even open their mouths." The king was delighted. "Your God is amazing!" he said.

Commented [GOD5]: Explicit attempted murder





Commented [GOD6]: Christian religion references

Jesus arrived in a hurry with Rebekah's father. "Don't weep," he said to the mothers. "Don't cry," he said to the children. "Your friend is only sleeping."

Jesus went into the house. He took Rebekah's lifeless hand and said, "Little girl, get up!"

Rebekah's parents gasped as she opened her eyes and sat up. She was alive!

"What's happening?" called the children. "Can we come in?"
As soon as they were allowed in, the children rushed to the bed and hugged their friend.

"Nothing is too difficult for Jesus!" said Rebekah's mother with a smile.

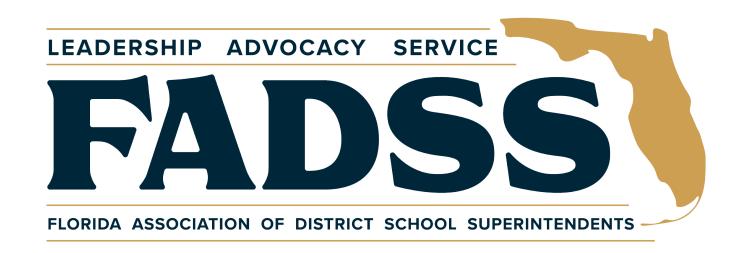
Commented [GOD7]: Vodou religion



A few days later, Joshua was playing in front of his house when his father came home with bad news. "The important people in Jerusalem have done a terrible thing," he said. "They told lies about Jesus and said he had done bad things. Their soldiers nailed him to a wooden cross to die. It's the worst punishment of all." Joshua cried all that day, and the next. The following day, Joshua's family got up just as the sun began to light the sky. They hurried to the quiet garden in Jerusalem where Jesus' body had been laid. They wanted to say goodbye. But someone else had got there first... "That's Mary, one of Jesus' best friends," whispered Joshua's mother. "But who is that man she's talking to? I can't see his face." Joshua jumped up. "It's Jesus!" he cried. "It can't be!" gasped his mother.

**Commented [GOD8]:** Murder, kidnapping, torture, crucifixion







# 2023 Legislative Summary

Prepared by: Brian Moore, General Counsel, FADSS

AMERICAN

July 7, 2023

#### **Foreword**

I want to thank Maryn Douglass and Emily Condon, our FADSS legislative interns for the 2023 session, for helping me keep track of all the legislation this year. More importantly, I want to thank them for their somewhat successful efforts in helping me to keep my thoughts organized during an incredibly busy session. I would also like to thank David Sikes and Katrina Figgett from FADSS for lending their eyes and editor's lenses to this report (my red ink specialists).



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**APPENDIX I – 2023-24 FEFP Conference Report** 



#### **Student-Centered Laws**

#### Reading, Writing, and Arithmetic

CS/CS/HB 7039 (Ch. 23-108) Student Outcomes

By: Representative Trabulsy

Effective Date: July 1, 2023
Approved by Governor: May 17, 2023

What Does the Bill Do? This new law is an expansive bill addressing literacy and mathematics skills and deficiencies. The primary focus is on the required use of the Science of Reading in all aspects of public education, as well as on the expansion and early detection of both reading and mathematics deficiencies. However, the law touches on numerous topics in this focus, including school board responsibilities, parental rights, charter school requirements, VPK programs, teacher preparation programs, instructional materials, parental notification of deficiencies, the Reading Allocation, and educator certification requirements. Because of the length of the new law and all the topics it covers, any summary of it is bound to leave out some important parts. Thus, it is advised that district curriculum leaders read the new law in full.

#### Official Policy of Florida re: Science of Reading

In multiple sections of the law, the Legislature includes the following, which essentially establishes Florida's official position on the Science of Reading and acceptable instructional strategies:

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

This language or versions of it are added to statutes outlining the duties of the Just Read, Florida! Office, charter school applications and curriculum requirements, VPK standards, the New Worlds Reading Initiative, instructional material evaluation and review processes, and teacher preparation program standards, to name a few.

#### Mathematics Deficiencies

This law takes the Florida model for identifying and addressing reading deficiencies and expands it to include mathematics as well. Thus, district early warning systems will no longer just need to look for substantial reading deficiencies in grades K-3 but also substantial



mathematics deficiencies in grades K-4. Additionally, parents have a right to be notified of both substantial reading deficiencies (or the characteristics of dyslexia) and substantial mathematics deficiencies (or the characteristics of dyscalculia). In addition, charter schools will now need to include in their applications a description of their mathematics curriculum "and differentiated strategies that will be used for students performing at grade level or higher and a separate mathematics curriculum and strategies for students who are performing below grade level." They will be required to ensure that resources are provided to identify and provide instruction for students performing below grade level in mathematics.

#### Section 1008.25, Florida Statutes

The most important part of this new law is the extensive change to section 1008.25, F.S. This is where the focus on mathematics deficiencies and establishing the Science of Reading is most apparent and has its greatest impact. Districts currently must allocate remedial and supplementary instruction resources to K-3 students with substantial reading deficiencies and students not meeting performance levels under the district's student progression plan. Now, students in grades K-4 exhibiting substantial mathematics deficiencies must also be prioritized. Also, as the law does in other sections, the references are now to substantial reading deficiency "or the characteristics of dyslexia" and substantial mathematics deficiency "or the characteristics of dyscalculia."

Individualized progress monitoring plans will now be required for either substantial reading deficiencies or substantial mathematics deficiencies. These plans will now need to identify the specific deficiency, set goals and benchmarks for student growth, describe the measures that will be used to evaluate progress, identify the specific evidence-based literacy instruction that will be offered for reading deficiencies, identify the resources that will be provided to the parent to support the student, and identify any additional services deemed available and appropriate.

For reading deficiencies and the parental notification process, the DOE will create a list of state-approved reading and intervention programs, which must be provided in addition to the regular, comprehensive core reading instruction. There will be dyslexia-specific interventions for students exhibiting the characteristics of dyslexia. When parents are notified of a substantial reading deficiency, the notice must include information about both the New Worlds Reading Initiative and the New Worlds Scholarship.

The law creates an entirely new subsection in section 1008.25, F.S., to address mathematics deficiencies and parental notification, which mirrors the requirements for reading deficiencies. Just as with Reading, students in K-4 exhibiting substantial mathematics deficiencies or the characteristics of dyscalculia need to be identified and immediately start receiving targeted interventions. Similarly, the DOE will also provide resources that districts will share with parents to help at home, including resources for dysgraphia, dyscalculia, dyslexia, and developmental aphasia.

As noted above, with so many details and changes to the existing statute, it is recommended that district curriculum staff read the changes in full.



#### New Worlds Scholarships

The Legislature created the New Worlds Reading Scholarship a few years ago, which awarded small scholarship amounts for students in elementary school to get tutoring to address reading deficiencies. Eligibility for this scholarship can now be based on mathematics deficiencies, so the name is being changed to the New Worlds Scholarship.

#### New Worlds Reading Initiative

This program, not to be confused with the tutoring scholarship program, is the one where the parents of elementary students exhibiting reading deficiencies can sign up to have a book sent to their home every month. In addition to adding language about the science of reading, the law amends some of the district's responsibilities under the program. Although most, if not all, districts already have it in place, the law now requires that each district enter into a data sharing agreement with the Lastinger Center to allow for streamlined verification and enrollment. Also, now that there is progress monitoring all the way down to VPK, eligibility for the program has expanded from K-5 to PreK-5.

#### <u>Funding</u>

The law currently provides that the Evidence-based Reading Instruction Allocation can be used to provide intensive reading interventions, but it will now add that these interventions can be delivered during, before, and after the school day.

Finally, the Legislature specifically appropriated \$158 million this year to assist districts in implementing this new law. The DOE will conduct a needs assessment to identify required changes that each district needs to make to convert from three-cueing to the Science of Reading. Funds will be released upon the submission of a detailed spending plan that is aligned with the DOE needs assessment results.

Who Is Responsible for or Affected by the Bill? Curriculum departments and elementary school teachers and leaders will be most affected by this bill, particularly in those districts that currently do not employ the Science of Reading as their primary instructional strategy. There will be a lot of new requirements, particularly at the elementary level, but all of the new requirements for substantial mathematics deficiencies should model what is already in place for substantial reading deficiencies.

<u>How Will the Bill Be Implemented?</u> For those districts that use three-cueing, the first step will be to discontinue the use of that strategy and start the process of purchasing materials that meet the new requirements. Fortunately, there was significant funding provided with this bill to help with this process. The DOE will be conducting a needs assessment to determine exactly which districts will need to make changes, so those districts currently employing the three-cueing method will want to reach out to the DOE for additional guidance.

With respect to all the new requirements for identifying and addressing substantial mathematics deficiencies, districts will mirror the process already in place for substantial reading deficiencies. It may be wise for elementary principals to include something about this



in an early communication to parents, as the progress monitoring system now in place for all elementary grades will allow schools to start identifying substantial deficiencies much earlier.

Also, now that students at all levels, including PreK, are taking part in the state's progress monitoring system, DOE has immediate testing results and can identify students with reading deficiencies based on those results. DOE then shares this information with the Lastinger Center, which is the administrator for the New Worlds Reading Initiative. Thus, even though districts are now required by law to enter into data-sharing agreements with Lastinger, this should actually be more about the districts receiving useful information from Lastinger than having to gather or verify data for them. Lastinger already knows who is eligible for the free book program, and it can share information with districts about which students are registered and which are not so that districts can better target their advertising about the program. For example, if 40% of eligible students in the district have registered for the free books but one school shows only 15% of the eligible students have registered, the messaging at that school might need to be changed.

Required Rulemaking? There are no new rulemaking requirements in this law, but both the SBE and individual districts may need to amend existing rules and policies to reflect these changes. This may include student progression plans and policies, school improvement policies or any other policy that may address an early warning system, promotion and retention policies, progress monitoring and remediation policies, parental notification policies, and others that may address issues involving substantial reading or mathematics deficiencies.

**Required Reports?** Districts must still submit an annual comprehensive reading plan as part of the Reading Allocation. The plan shall now include a description of "how the district prioritizes the assignment of highly effective teachers . . . to kindergarten through grade 2 and how reading coaches are assigned to individual schools." Furthermore, these two new provisions "shall be approved by the Just Read, Florida Office."

**Required Training?** Elementary teachers and administrators, reading coaches, and others will need to be advised of all the new changes. For those schools who will be switching from three-cueing to the Science of Reading, there may be additional training needs. There is not much change to the actual process of addressing students with substantial deficiencies, but many of the details have changed on top of adding mathematics deficiencies to the equation.

<u>Does the Bill Apply to Charter Schools?</u> Yes. The law specifically amends charter school application requirements and charter school curriculum requirements to address the focus on the Science of Reading and identifying and addressing mathematics deficiencies in much the same way that reading deficiencies are addressed now.

What Problems or Concerns May Arise as a Result of this New Bill? There may be a lot of work required as a result of this new law, but it is designed to identify and address reading and mathematics deficiencies as early as possible. The expansion of progress monitoring testing into grades K-2 and the exceptionally quick turnaround for obtaining test results at all grade levels should make this essential work easier for districts than it might have been just a couple of years ago.



Fortunately, the Legislature provided a significant amount of funding to assist districts who are going to have to switch their methodology from three-cueing to the Science of Reading. There are some exceptionally successful districts on the list of those who use three-cueing, so it would be extraordinarily difficult if they had to switch from something that has been successful without any financial assistance.

<u>Creates</u>: N/A.

<u>Amends</u>: Sections 1001.215, 1001.42, 1002.20, 1002.33, 1002.411, 1002.59,

1002.67, 1003.485, 1003.53, 1004.04, 1004.85, 1004.86, 1006.283, 1006.31, 1008.25, 1008.365, 1011.62, 1012.56, 1012.585, 1012.98,

Florida Statutes.

<u>Companion Bill</u>: <u>SB 1424 (Calatayud)</u>

Final Legislative Analysis

## **Exceptional Student Education**

CS/CS/HB 19 (Ch. 23-96) Individual Education Plans

By: Representative Tant

Effective Date: July 1, 2023
Approved by Governor: May 17, 2023

What Does the Bill Do? This new law adds a provision to section 1003.5716, F.S., which addresses the transition from PreK-12 education to postsecondary and career opportunities for ESE students. The law requires IEP teams to discuss the implications of the student turning 18-years-old at least one year beforehand, because all rights transfer to the student at age 18. The discussion "must include the ways in which the student may provide informed consent to allow his or her parent to continue to participate in educational decisions," such as granting the parent permission to access the student's records, power of attorney, guardian advocacy, and full guardianship. Finally, the law requires the SBE to adopt rules to implement these new provisions.

Who Is Responsible for or Affected by the Bill?

IEP teams at every high school and center school will be responsible for making sure that the team meets to discuss these issues before the student turns 17-years-old. Although these teams cannot give legal advice, they will need to be able to provide at least some basic information about the various options available to students and parents upon the student turning 18. Hopefully, at least some of this information will be provided by the DOE through its required rulemaking.

<u>How Will the Bill Be Implemented?</u> Transition to adulthood is already a focus of IEP meetings beginning in middle school, but this will require focusing specifically on the legal implications of a student turning 18 and becoming an adult. By law, the rights of the parent pass to the



student at age 18, but this can be a lot to ask of any 18-year-old, let alone one trying to navigate the IEP process. If the DOE does not do so through rulemaking, district ESE departments will probably need to consult with the local Agency for Persons with Disabilities (APD) office and their board or staff attorney to develop some forms or pamphlets that can be shared with students and parents so that they can make informed decisions.

**Required Rulemaking?** The SBE is required to adopt rules to implement these new

provisions.

**Required Reports?** N/A.

<u>Required Training?</u> The ESE department will need to make sure that ESE teachers and case managers at every school with high school students are updated on this new requirement and prepared to discuss the issue.

<u>Does the Bill Apply to Charter Schools?</u> Yes. Charter schools must comply with federal and state laws concerning students with disabilities.

What Problems or Concerns May Arise as a Result of this New Bill? Parents may have legal questions about all the legal ramifications of a student turning 18, as well as certain legal options like powers of attorney or guardianship. IEP teams rarely include an attorney, unless the parent already has one too. IEP team members will need to avoid engaging in the unlicensed practice of law by making sure that they provide only background information or materials cleared by the district or DOE. If parents have additional questions or want more information, they should be directed to consult with an attorney or APD.

Creates: N/A.

<u>Amends</u>: Section 1003.5716, Florida Statutes

Companion Bill: CS/SB 636 (Simon)

Final Legislative Analysis

CS/SB 290 (Ch. 23-91) Public School Student Progression for Students

with Disabilities

By: Senator Jones

Effective Date: July 1, 2023

Approved by Governor: May 17, 2023

What Does the Bill Do? This new law amends subsection 1008.25(2), F.S., which addresses student progression from grade to grade. It will allow a parent of a student with disabilities to retain a 4-year-old student enrolled in a PreK ESE class for another year after consulting with the IEP team. Then, any such student who has been retained, and has a demonstrated deficiency in early literacy skills, must receive instruction in early literacy skills



(referred to as intensive reading interventions for older grades). Finally, this retention year will count as one of the two allowed for a good cause exemption to promote students from  $3^{rd}$  to  $4^{th}$  grade.

Who Is Responsible for or Affected by the Bill? The responsibility for this new law largely falls on the parent who elects to retain their child in PreK ESE for an additional year. However, the IEP team and classroom teacher will need to make sure that the student receives appropriate instruction the following year if the student has demonstrated reading or early literacy deficiencies.

How Will the Bill Be Implemented? For the most part, this will be implemented similar to any other retention. If the student has a demonstrated early literacy deficiency, interventions to work on that student's early literacy skills will be necessary.

Required Rulemaking? No new rulemaking is required, but the SBE may need to amend certain rules, such as Rule 6A-6.053, F.A.C. (District K-12 Comprehensive Evidence-Based Reading Plan).

Required Reports? N/A.

**Required Training?** District ESE departments will need to advise principals and PreK ESE teachers about this new provision.

<u>Does the Bill Apply to Charter Schools?</u> Yes. Charter schools must comply with ESE and accountability laws.

What Problems or Concerns May Arise as a Result of this New Bill?

Other than the possible decision to retain a student who is ready to enter kindergarten, there should not be too many real concerns with this new law. The earlier any literacy deficiencies can be identified and corrected, the better.

<u>Creates</u>: N/A.

<u>Amends</u>: Section 1008.25, Florida Statutes.

Companion Bill: CS/HB 223 (Bartleman)

Final Legislative Analysis

HB 795 (Ch. 23-281) Private Instructional Personnel

By: Representative Tant

Effective Date: July 1, 2023 Approved by Governor: June 22, 2023

<u>What Does the Bill Do?</u> Last year, the Legislature added Applied Behavior Analysis (ABA) behavior technicians to the list of private instructional personnel who can collaborate with



school personnel and provide services to a student at school. They joined professional, certified private behavior analysists; psychologists; speech-language pathologists; occupational therapists; physical therapists; and clinical social workers on the list of who can collaborate with school personnel, observe a student in the educational setting, and also provide services in the educational setting. Last year, the law applied only to those behavior technicians who were employed by a Medicaid provider. HB 795 removes that restriction. Now, any behavior technician who has a recognized paraprofessional certification and works under the supervision of an ABA professional (BCBA, psychologist, or clinical social worker) is considered private instructional personnel under the statute.

Who Is Responsible for or Affected by the Bill? As this just expands on a category of professionals who can observe and work in the schools, it will not require much in the way of changes. However, unlike a psychologist who may come to observe a student for a couple of hours and interact with the teacher once or twice, behavior technicians are often with the student as much as a regular one-on-one paraprofessional. Working out schedules and what this non-school board employee can and will do may present some challenges for the principal and any teachers who might have someone in their classroom every day. However, many of these issues may have been resolved over the past year. The only change this year is that it is not required that the behavior technician work for a Medicaid provider.

<u>How Will the Bill Be Implemented?</u> Districts will need to inform principals and student services/ESE that there is no longer a restriction on behavior technicians based on their employer.

Required Rulemaking? N/A.

Required Reports? N/A.

Required Training? N/A.

<u>Does the Bill Apply to Charter Schools?</u> Probably. Charter schools are required to comply with "[t]hose statutes pertaining to the provision of services to students with disabilities." Sec. 1002.33(16)(a)3., F.S. The section of law being amended is designed to enhance a district's responsibilities under the Individuals with Disabilities Education Act (IDEA) and lead to collaboration between private and public personnel working with a student. The collaboration and coordination of services between school personnel and the private provider should be construed as "pertaining to the provision of services to students with disabilities."

What Problems or Concerns May Arise as a Result of this New Bill? This bill really doesn't create any new concerns, but it is worth repeating the concerns raised last year when behavior technicians were first added to the list:

As noted above, behavior technicians are not certified professionals, like a psychologist, with years of training who will only be in the classroom intermittently. These are essentially paraprofessionals who may not have a lot of training and are not district employees under the direction of the principal or other district staff members.



As originally intended, this law was designed to allow a private professional to "observe a student in a public school setting or provide services in the educational setting at a time agreed upon by the private instructional personnel and the school." Note the use of the singular "at a time." Allowing a physical therapist to come observe a student for a couple hours or even provide services during lunch or recess a couple times a month is much different than having a private adult follow a student for several hours every day. In such cases where the student has an IEP, it may be difficult for the IEP team to properly assess the student and the school's efforts to provide FAPE.

<u>Creates</u>: N/A.

Amends: Section 1003.572, Florida Statutes.

Companion Bill: SB 514 (Hooper)

Final Legislative Analysis

# CTE/Career Planning

CS/SB 196 (Ch. 23-89) Guidance Services on Academic and Career

**Planning** 

By: Senator Jones
Effective Date: July 1, 2023
Approved by Governor: May 17, 2023

<u>What Does the Bill Do?</u> First, it should be noted that the identical language was also enacted in SB 240 (Ch. 23-81, Laws of Florida) below, but there was one additional provision in SB 240, which will be discussed here rather than as part of the much longer, multi-topic SB 240.

This new law amends the required parental notification of acceleration options (section 1003.02(1)(i), F.S.) to now include "acceleration, academic, and career planning options." The notice must be in a language that is understandable to both parents and students. Where the law currently refers to acceleration options, like AP classes, dual enrollment, IB, and AICE, it will also now include "career and professional academies, career-themed courses, the career and technical education pathway to earn a standard high school diploma . . . , work-based learning opportunities, including internships and apprenticeship and preapprenticeship programs, [and] foundational and soft-skill credentialing programs under s. 445.06." Finally, the new law also

<sup>&</sup>lt;sup>1</sup> Senate Education Staff Analysis for SB 1108 dated March 15, 2013. https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=2013s1108.pre.ed.DOCX&DocumentType=Analysis&BillNumber=1108&Session=2013.



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requires districts to provide parents and students with the contact information of a certified school counselor who can offer advice to students on these options.

The law also amends the middle school promotion requirements in section 1003.4156, F.S. Currently, middle school students are required to take one course in career and education planning, which will result in a personalized academic and career plan for the student. That personalized plan must inform students of high school graduation requirements and the different diploma designations available, as well as Bright Futures scholarship requirements, options to earn college credit in high school, and career education courses. The law will now require that the plan also inform students about the career and technical education pathway to a standard high school diploma, as well as work-based learning opportunities.

Finally, as mentioned above, there was an additional change enacted in SB 240 (below). It provides that the personalized academic and career plan must be created using Florida's online career planning and work-based learning coordination system once it becomes available. This will be part of the Xello program that the DOE announced earlier this year, which will be available for free for all schools beginning with the new school year. The middle school career and education planning course must then include instruction for each student on how to access and update the plan, and students should be encouraged to access and update the plan at least annually.

Who Is Responsible for or Affected by the Bill? This will largely fall on district curriculum departments to make sure that students and parents receive the appropriate notice of acceleration, academic, and career planning options, and then it will fall on middle schools to make sure that their students are receiving the appropriate instruction and producing the personalized academic and career plan. The new Xello program should make this easier to implement.

<u>How Will the Bill Be Implemented?</u> Depending on how districts currently notify parents about acceleration options, that notice will need to be amended to include academic and career planning options. Beyond that, middle schools will need to make sure that their career and education planning course is up-to-date and making use of Xello.

Required Rulemaking? N/A.

Required Reports? N/A.

Required Training? N/A.

<u>Does the Bill Apply to Charter Schools?</u> Yes and maybe. It is not clear whether charter schools are required to comply with all of section 1003.02(1), F.S., which includes the parental notification requirements for acceleration, academic, and career-planning options. Section 1003.02, F.S., is directed at school boards and the control of students within the district, and subsection (1) refers to the "proper accounting for all students of school age, for the attendance and control of students at school, and for the proper attention to **health, safety, and other matters relating to the welfare of students** in the following areas . . . ." Arguably, all of the topics that follow are then health, safety, and welfare provisions, for which charter



schools are not exempt. However, some of the listed provisions clearly do not apply to charter schools, so it is unclear whether charter schools are required to provide parental notification about acceleration options, most of which would be available elsewhere within the school district, even though this would appear to be a student welfare provision. On the other hand, section 1003.4156, F.S., addresses middle school promotion for all public school students, so charter school students still need to take the career and education planning course and produce the resulting personalized academic and career plan.

What Problems or Concerns May Arise as a Result of this New Bill? N/A.

<u>Creates</u>: N/A.

<u>Amends</u>: Sections 1003.02 and 1003.4156, Florida Statutes.

Companion Bill: CS/HB 141 (Arrington)

Final Legislative Analysis

<u>CS/CS/SB 240 (Ch. 23-81)</u> Education (career and workforce education)

By: Senator Hutson
Effective Date: July 1, 2023
Approved by Governor: May 15, 2023

What Does the Bill Do? In many ways, this new law is a significant overhaul and revision of HB 1507 from the 2021 legislative session, which implemented significant changes in Florida's approach to workforce education. The final, enrolled version of the bill contains 50 different sections and is almost 100 pages long. This summary attempts to highlight the most significant aspects of the law, especially those directly adding to or amending school district requirements, but district CTE and workforce personnel will need to read the complete bill to get a full understanding of it.

#### **Duplicate Provisions**

First, there are a couple provisions that appear both here and in other bills. The provisions of SB 196 (above) are also incorporated into SB 240. Please refer to SB 196's summary for the full discussion. However, there are a few differences between the two bills. In SB 240, the required course in career and education planning mandates students to use, when it becomes available, Florida's online career planning and work-based learning coordination system when completing their personalized academic and career plan. This language was not included in SB 196. Also, where SB 196 says that districts must provide parents with the contact information of a certified school counselor who can advise students and parents on the various acceleration, academic, and career planning options, SB 240 also requires that districts provide "students and parents with guidance on accessing and using Florida's online career planning



and work-based learning coordination system" in addition to the contact information of a certified school counselor.

There are also graduation requirements (a CTE course can satisfy the one credit in the arts requirement) added both here and in HB 1537, which are discussed below in HB 1537's summary so that the focus here can remain more on the operational impact on workforce, career education, CAPE industry, CTE, and other related district programs.

#### **OPPAGA Study**

The law requires the Office of Program Policy Analysis and Government Accountability (OPPAGA) to review approved statewide articulation agreements, including those that address industry certification, career certificates, and applied technology diploma programs; early childhood education programs; and associate in science to baccalaureate degree programs. The review will include the number of CAPE industry certifications on the Master Credential List, the number of career programs or degrees offered by career centers and colleges compared to the number of programs covered in statewide articulation agreements, regional offerings, number and percentage of program completers, and recommendations to strengthen the process for developing statewide articulation agreements. The report is due by November 1, 2023.

#### **School Operations**

Beginning with the upcoming 2023-24 school year, each district is required to have each of its high schools host an annual career fair during the school year. There must also be a process for providing 11<sup>th</sup> and 12<sup>th</sup> grade students with the opportunity to meet or interview with potential employers at this career fair. A school can either hold the career fair on its campus, or a group of high schools within the district or even a group of districts can hold a joint career fair at an alternative, appropriate (reasonable driving distance for all students) location. In either event, it must be held during the school day.

Also beginning with the 2023-24 school year, districts, as part of their controlled open enrollment process, will be required to allow students who completed a CTE course or an industry certification included in the CAPE Industry Certification Funding List "to continue a sequential program of career and technical education in the same concentration, if a high school in the district offers the program." Related to this topic, the DOE will also be required to convene a work group to identify best practices in CTE pathways to help middle school students in their career planning and with the transition from middle to high school. The work group must also establish three (3) mathematics pathways for secondary students "by aligning mathematics courses to programs, postsecondary education, and careers.

In addition, section 446.0915, F.S., which addresses work-based learning opportunities will now require that eevery school board "ensure that each student enrolled in grades 9 through 12 has access to at least one work-based learning opportunity." This section of law already requires the SBE to adopt rules to implement it, so it is likely that the SBE will adopt or amend rules to address this somewhat open-ended requirement.



To further promote student access to career and workforce opportunities, districts will be required to include in their inservice master plan for teachers the ability for them to receive inservice points "for supporting students in extracurricular career and technical education activities, such as career and technical student organization activities outside of regular school hours and training related to supervising students participating in a career and technical student organization."

#### **Career Centers**

For districts with career centers, it is strongly advised that they pay close attention to section 28 of the bill and read it in its entirety, as it creates section 1007.331, F.S., which allows career centers to offer associate in applied science and associate in science degree programs. The SBE will now be empowered to review and approve proposals to offer these degree programs. Any career center that does offer one or more of these associate degree programs must maintain an open-door admission policy and cannot terminate its existing programs just because the associate degree program was authorized. The centers can offer an associate in applied science or associate in science degree program through a formal agreement with the local college or other accredited education institution, or they can establish one of these programs beginning July 1, 2024, to meet local or statewide workforce needs, if approved by the SBE. They must notify the Division of Career and Adult Education of their intent to request permission to start one of these programs at least 100 days before submitting a formal proposal for approval. The notice has to describe the program, workforce demand and unmet needs, and evidence that the career center engaged in discussions with one or more Florida colleges and other accredited institutions in the service district. The Division must then send the notice to the Chancellor of the Florida College System, and state colleges will have 60 days to submit objections to the proposed new program or submit an alternate proposal. Any alternative proposal must include certain information, just like the formal proposal from a career center. The Commissioner will recommend approving or denying the proposal to the SBE. If the SBE denies the proposal, it must provide written reasons for doing so. The SBE is directed to adopt rules to implement this new section of law.

Also, there are numerous other provisions that may affect district career centers. This law establishes tuition for postsecondary vocational programs offered by career centers at \$71.98 per credit hour for residents. For nonresidents, the tuition is the same \$71.98 per credit hour but with an out-of-state fee of \$215.94 per credit hour. There are also significant amendments made to the Open Door Grant Program, which was created in 2021, and the Workforce Development Capitalization Incentive Grant Program, which was amended to become a more streamlined process.

There are also changes to the Money-Back Guarantee Program enacted two years ago. Going forward, the requirement is simply that the district identify at least three programs that offer the guarantee. There are no more requirements that the programs be based on any other conditions. However, student eligibility criteria remains the same.



#### Apprenticeships and Work-Based Learning Opportunities

The Florida Talent Development Council must "identify barriers and best practices in the facilitation of work-based learning opportunities in middle and high school." A report is due by December 1, 2023. The Council must make recommendations on collaboration between school districts, local workforce development boards, and local businesses. The recommendations must also address any necessary legislation to facilitate work-based learning opportunities, including possible financial incentives.

With respect to students 18 or younger engaged in paid, work-based learning opportunities, current law requires the employer to cover them with their worker's compensation coverage. If those students are in an unpaid work-based learning opportunity, the school district is required to cover them. That remains the same, but now districts or employers must apply to the Department of Financial Services for reimbursement instead of the DOE. There are certain requirements now for this reimbursement, including the number of students participating and an attestation that the students are 18 or under and that the employer or district is only seeking reimbursement for a proportionate share of the cost for those students. The district's risk manager or whoever is responsible for seeking this reimbursement should read the entirety of section 13 of the bill for all the requirements. The Legislature appropriated \$2 million to fund reimbursements of worker's compensation coverage costs.

#### **Other Provisions**

The law also includes changes to the Master Credential List, CAPE funding and some other funding provisions, apprenticeships, the money-back guarantee, and changing the name of the Merit diploma designation to the Industry Scholar designation. Due to the significant number of changes overall, anyone who was affected by the passage of HB 1507 (REACH Act) in 2021 should read the new law in full.

Finally, the Legislature specifically appropriated \$100 million to the DOE to implement the Workforce Development Capitalization Incentive Grant Program.

Who Is Responsible for or Affected by the Bill? District career centers, CTE and workforce program coordinators, curriculum teams, and risk managers are all affected by these changes.

How Will the Bill Be Implemented? There are too many provisions to go through the potential implementation of all of them, but some are worth a special mention. For example, districts will want to determine quickly whether each high school will host a career fair or whether it would be better to combine multiple high schools (or districts) into one larger event. Obviously, the district's HR team should be prepared to share all the career opportunities the district has to offer at these events.

**Required Rulemaking?** There do not appear to be any new, mandatory rulemaking requirements for districts, but some of the changes may require modifications to existing policies.

The SBE will need to adopt rules for career centers offering associate of applied science and science degree programs. It may also need to amend Rule 6A-23.0042, F.A.C. (Work-Based



Learning Standards), to implement the new requirement that every student in grades 9-12 has access to at least one (1) work-based learning opportunity.

Required Reports? The funding for industry certifications remains at \$1,000, unless the GAA has insufficient funds or says otherwise, but the DOE is now required to prepare an annual report for the Legislature (October 1<sup>st</sup>) detailing all the industry certifications awarded the previous year and separating them into three (3) tiers "based upon the anticipated average wages of all occupations to which each certification is linked on the Master Credentials List."

There are also new reporting requirements for the Florida Endowment Foundation for the Division of Vocational Rehabilitation, local workforce development boards, and the Florida Talent Development Council. Also, career centers that establish an associate in applied science or associate in science degree program will have an annual reporting requirement to the SBE, Commission, Legislature, and the Chancellor of the Division of Career and Adult Education. The SBE will review this report and its performance and compliance indicators, and it can require a career center to modify or terminate the program as a result. There is also a modified reporting requirement for institutions participating in the Open Door Grant Program. Finally, OPPAGA has until November 1, 2023, to issue its required report.

Required Training? N/A.

**Does the Bill Apply to Charter Schools?** Yes.

What Problems or Concerns May Arise as a Result of this New Bill? The main issue, as was the case with the REACH Act in 2021, is the scope and breadth of the changes. There is a lot to digest, and there are numerous agencies and actors involved in the process. Because so many of the pieces are at least somewhat interconnected, it is difficult to summarize the bill or break it down into component parts effectively. Thus, career center directors, CTE personnel, and other employees associated with the district's workforce education programs should read the bill and legislative staff analysis in their entirety.

<u>Creates</u>: Sections 1007.331, 1009.771, Florida Statutes.

**Amends**: Sections 14.36, 216.135, 216.136, 220.198, 413.615, 445.003, 445.004,

445.007, 445.009, 445.038, 446.071, 446.0915, 446.54, 1001.03, 1001.43,

1002.31, 1003.02, 1003.4156, 1003.4203, 1003.4282, 1003.4285, 1003.491, 1008.44, 1009.22, 1009.895, 1011.62, 1011.80, 1011.801, 1011.802, 1011.803, 1011.81, 1012.39, 1012.585, Florida Statutes.

<u>Companion Bill</u>: <u>CS/CS/HB 7051 (Melo)</u>

Final Legislative Analysis



## **High School Equivalency Diplomas**

HB 265 (Ch. 23-98) High School Equivalency Diplomas

By: Representatives Plascencia and Lopez

Effective Date: July 1, 2023
Approved by Governor: May 17, 2023

<u>What Does the Bill Do?</u> The law amends section 1003.435, F.S., to say that a "district school board may not require a student who has reached the age of 16 to take any course before taking the examination unless the student fails to achieve a passing score on the GED practice test as established by State Board of Education rule."

Who Is Responsible for or Affected by the Bill? This will fall on the district's adult education department to implement.

<u>How Will the Bill Be Implemented?</u> The adult education department will need to make sure that there is no requirement that a student take or complete certain courses before they will be allowed to take the GED exam, if the student was able to "pass" the GED practice exam.

**Required Rulemaking?** It does not appear that Rule 6A-6.0201 or any other SBE rule establishes a "passing" score for the GED practice test, so the SBE probably needs to adopt a rule to establish that "passing" score.

Required Reports? N/A
Required Training? N/A

**Does the Bill Apply to Charter Schools?** No.

What Problems or Concerns May Arise as a Result of this New Bill?

The law still says that students between the ages of 16 and 18 should only be allowed to take the GED examination "in extraordinary circumstances." Presumably, this is to give those students time to reconsider and attempt to obtain a regular diploma instead. It is conceivable that a little time spent in a class identifying their strengths and weaknesses might give some insight into what the student needs to succeed in school or might give the student some confidence to try again. However, this law appears to empower a 16-year-old to take a practice exam and then go straight to the regular GED exam.

<u>Creates</u>: N/A.

Amends: Section 1003.435, Florida Statutes.

Companion Bill: SB 1004 (Torres)

Final Legislative Analysis



## **Required Instruction**

CS/HB 379 (Ch. 23-36) Technology in K-12 Public Schools

By: Representative Yeager

Effective Date: July 1, 2023
Approved by Governor: May 9, 2023

<u>What Does the Bill Do?</u> This new law focuses on social media and cell phone use in the classroom. First, it requires districts to:

- 1. Adopt an internet safety policy for student access to the Internet.
- 2. Prohibit student access to social media platforms through the district's Internet access, except when expressly allowed by the teacher solely for educational purposes.
- 3. Prohibit the use of TikTok on district-owned devices, through the district's Internet access, or as a means of communicating information from the school, athletic team, or club.

The SBE is required to adopt rules to administer these new provisions.

This new law also provides that teachers have the authority, through their established classroom rules of conduct, to designate an area for students to place their cell phones and other wireless communication devices during instructional time. In addition, student codes of conduct need to be updated. While students may still possess a cell phone or wireless communications device while at school, "a student may not use a wireless communications device during instructional time, except when expressly directed by a teacher solely for educational purposes. A teacher shall designate an area for wireless communication devices during instructional time."

Finally, the law adds some provisions to required health instruction. For students in grades 6-12, districts will be required to teach "the social, emotional, and physical effects of social media." This will include topics like the negative effect on mental health, social media addiction, the use of social media to spread misinformation or manipulate people, the permanency of social media posts, online predatory behavior, online safety and security, human trafficking through social media, and how to report suspicious behavior. The DOE is required to make instructional material for these subjects available online, and districts will be required to notify parents about its availability.

Who Is Responsible for or Affected by the Bill? School boards will need to adopt an internet safety policy and potentially amend the student codes of conduct. IT personnel will need to make sure that district-owned devices and servers block access to social media sites. Also, teachers will need to determine how they want to handle cell phones in the classroom, as they will be able to designate an area for students to deposit their phones during class, much as they do when they enter a room to take a proctored exam.



Also, district curriculum departments will need to find ways to include social media instruction into the curriculum for grades 6-12. The DOE is required to make instructional materials available online, but it is not clear what these materials will be or whether they will include suggestions for inclusion in existing classes. Simply notifying parents of the availability of these materials will not be sufficient.

How Will the Bill Be Implemented? The DOE will make instructional materials available, and then curriculum teams will need to determine where and when to insert it into existing classes. The SBE will also be adopting rules about district internet safety plans, and then school boards will need to adopt appropriate local policies pursuant to this new law and whatever rule the SBE adopts.

**Required Rulemaking?** The SBE is required to adopt rules for the Internet safety policy and access to certain online sites and platforms. Then, school boards will also need to adopt a local Internet safety policy. School boards may also need to amend their student codes of conduct to address these new restrictions on social media and wireless communication devices.

Required Reports? N/A.

Required Training? Teachers may need some training on these new restrictions and their ability to designate an area for students to keep their wireless communication devices during class. They may also need to be reminded that students should not be using their phones during class time unless the teacher has directed them to do so for educational purposes.

<u>Does the Bill Apply to Charter Schools?</u> Yes and no. Charter schools are not required to teach the topics of required instruction set forth in section 1003.42, F.S. However, they are required to implement statutory provisions affecting the health, safety, and welfare of students. Arguably, the provisions addressing the student code of conduct, teacher control of the classroom, and requirements for the oversight of school operations meet that definition.

What Problems or Concerns May Arise as a Result of this New Bill?

The primary concern here is that this is yet another area of required instruction that applies only to district-managed public schools and must be inserted into the same 180-day school calendar without any new resources or removal of something else from an already overburdened school day. Another concern that may arise is with parents apprehensive about their children not being in possession of their cell phones should an emergency arise. If students have to deposit their phones into a box or other location in the classroom, they may not be able to access them in an emergency.

Creates: N/A.

**Amends**: Sections 1003.02, 1003.32, 1003.42, 1006.07, Florida Statutes.

Companion Bill: CS/CS/CS/SB 52 (Burgess)

Final Legislative Analysis



**CS/HB 551 (Ch. 23-103)** Required African-American Instruction

By: Representatives Benjamin and Fine

Effective Date: July 1, 2023
Approved by Governor: May 17, 2023

What Does the Bill Do? This new law makes another change to section 1003.42, F.S., which sets forth the topics of required instruction for district public schools. First, it addresses the current requirement that district public schools teach the history of African-Americans. The law adds a requirement that each school district "annually certify and provide evidence to the department, in a manner prescribed by the department, that the requirements of this paragraph are met." There are no parameters or restrictions with respect to the manner in which the DOE will seek proof of compliance.

Currently, the law says that the DOE may seek input from the Commissioner's African American History Task Force in the preparation of standards and curriculum for the teaching of African-American history. This new law provides that the DOE may also seek input from other state or nationally recognized African-American educational organizations. The DOE can also contract with such organizations to develop training and potential classroom resources.

Although it really was not discussed during debate on the bill, this new law also creates a much broader reporting requirement for districts than just a report on the instruction of African-American history. Although the staff analysis describes it as a codification of current SBE Rule 6A-1.094124 ("Required Instruction Planning and Reporting"), the new law appears to go significantly beyond what is required currently by rule. Section 1003.42, F.S., will now require school districts to submit to the Commissioner an implementation plan for all of the more than 20 topics of required instruction in subsection 1003.42(2), F.S. This implementation plan must also be posted on the district's website. The plan must include:

- 1. The methods in which instruction will be delivered for each grade level.
- 2. The professional qualifications of the instructional personnel.
- 3. A description of the instructional materials.

Currently, the SBE rule requires districts to submit a report describing how the topics of required instruction were taught the previously year and then an implementation plan just for health and character development topics. The law expands the implementation plan to include all topics of required instruction.

Just as in the current rule, the Commissioner or DOE can find that the implementation plan does not meet the requirements of law or is otherwise insufficient and then notify the district, which will then receive at least 45 days to amend the implementation plan. Failure to comply with this requirement can lead to enforcement proceedings by the SBE pursuant to section 1008.32, F.S.

<u>Who Is Responsible for or Affected by the Bill?</u> Curriculum departments are responsible for ensuring that the required topics of instruction are taught in the schools. They will also be



responsible for submitting whatever proof the DOE requires to demonstrate compliance with the required instruction of African-American history, and they will be responsible for developing an implementation plan. The exact nature of this task may not be clear until the SBE adopts new rules, but the SBE adopted amendments to Rule 6A-1.094124 ("Required Instruction Planning and Reporting") on this same topic back in November and has been requiring some form of annual report on the topic since 2019. Thus, the law may simply be codifying much of what the DOE already requires.

The current rule requires districts to submit annually by July 1 a report providing which courses, by grade level, included the required instruction; a description of the course materials used; and the professional qualifications of the instructors for the health and character education requirements. Then, the rule requires that districts submit an implementation plan for the health and character education requirements by December 1<sup>st</sup> each year, which also must be posted on the district's website. Thus, the new law appears to expand upon the current DOE requirements by applying the same standards to all of the topics, not just some of them.

<u>How Will the Bill Be Implemented?</u> Districts will need to submit the required evidence of instruction for African-American history and expand upon their current implementation plans to cover all topics of required instruction.

**Required Rulemaking?** The SBE will need to adopt a rule establishing what evidence it will require from districts when they annually submit proof that they are teaching the history of African-Americans appropriately. It may also need to amend its rule for district implementation plans to cover all topics of required instruction.

Required Reports? Districts will need to submit an annual certification and supporting evidence that they are teaching the history of African-Americans as required by law. The nature of this certification and evidence submission will be determined by the DOE. Districts will also have to prepare, post on their websites, and submit to the DOE an implementation plan for all of the topics of required instruction in section 1003.42, F.S., not just the health and character development topics currently required by rule. The implementation plan will need to include "[t]he methods in which instruction will be delivered for each grade level[,] [t]he professional qualifications of the instructional personnel[, and a] description of the instructional materials." The Commissioner or DOE will then notify a district if the implementation plan does not meet the requirements of the law, at which point the district will have at least 45 days to submit revisions to the plan. Failure to comply or adopt an adequate implementation plan may subject the district to enforcement action by the SBE.

**Required Training?** No new training is required, but districts may need to address their current training for teachers and staff with respect to delivery of the topics of required instruction. Also, adoption of the required implementation plan may require training instructional staff if the plan differs from current practice.

<u>Does the Bill Apply to Charter Schools?</u> No. Charter schools are not required to comply with section 1003.42, F.S. They must teach the approved standards, but they do not separately



have to teach the 20 or more topics listed in section 1003.42, F.S., or complete the new implementation plan.

What Problems or Concerns May Arise as a Result of this New Bill?

Almost all of the attention on this bill was directed at the African-American History instruction, but there could be an incredible amount of work required by district staff to comply with the other changes to section 1003.42, F.S. However, the DOE already has a rule in place that covers much of what was enacted in this law, so it is not clear just how much more districts will need to do beyond what they are already doing.

The real problem is that section 1003.42, F.S., continues to grow to include more topics of required instruction that must fit into the same 180-day schedule, and it only applies to district schools. Now, not only do districts have to figure out how to add all these required topics to the school day within the existing framework, but they must also create extensive reports and implementation plans for them. It would be much simpler for everyone if these topics were simply incorporated into Florida state standards and included in the regular, required coursework and instructional materials. Then, none of these extra reports and plans would be required, because the annual state assessments would demonstrate whether students were learning about these topics.

Creates: N/A.

<u>Amends</u>: Section 1003.42, Florida Statutes.

Companion Bill: SB 804 (Simon)

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## Other Student-Centered Laws

CS/HB 389 (Ch. 23-100) Menstrual Hygiene Products in Schools

By: Representative Skidmore

Effective Date: July 1, 2023
Approved by Governor: May 17, 2023

What Does the Bill Do? This new law creates section 1006.064, F.S., which provides that a "school district" can make menstrual hygiene products available in its schools at no charge. It is not mandatory. The products can be placed in the nurse's office (or other health services locations) and restrooms. The law prohibits the display of any logos or advertisements other than the brand name and product information. Even if the products or dispenser are donated or paid for by a private organization or individual, the district cannot display the donor's name or information about the donor with the products or on the dispenser. If a school participates in the program, it must provide students with information about the availability and location of the products. Finally, districts are encouraged to partner with nonprofit organizations, businesses, and others to assist in supplying the products and dispensing mechanisms.

Who Is Responsible for or Affected by the Bill? Ultimately, if a district decides to make such products available in its schools, the district's health services department is most likely to be responsible for the overall program, while it will be the custodians who are most likely tasked with keeping the dispensers stocked.

In terms of finding funding for such a program, aside from simply electing to pay for it directly or contacting various manufacturers about donations or reduced-cost opportunities, districts may want to consult with their education foundation or the local department of health to look at funding opportunities and possible grants.

How Will the Bill Be Implemented? If a district elects to participate, it will need to find a source of funding. Some of the companies who produce these products may have programs in place for donations or reduced-cost programs. Otherwise, there may be local organizations interested in helping with the cost of such a program. Once the program is in place, each school will need to notify students about the availability of the products.

Required Rulemaking? N/A.

Required Reports? N/A.

Required Training? N/A.

<u>Does the Bill Apply to Charter Schools?</u> Maybe. This could be considered a health, safety, or welfare law, which would then apply to charter schools. However, even if charter schools were exempt from compliance, there is nothing that would prevent a charter school from making these products available on their own campus.



What Problems or Concerns May Arise as a Result of this New Bill?

Other than maintaining the dispensers and supply of the products, there should not be any problems or concerns associated with this new law. It is a voluntary program, and these products have and will continue to be used at school whether or not they are given out for free.

<u>Creates</u>: Section 1006.064, F.S.

Amends: N/A.

Companion Bill: SB 334 (Book)

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CS/SB 478 (Ch. 23-168) Early Childhood Music Education Incentive

**Program** 

By: Senator Perry Effective Date: May 30, 2023 Approved by Governor: May 30, 2023

What Does the Bill Do? This law converts the Early Childhood Music Education Incentive Program from pilot status to permanent. The pilot program has been in place since 2017. Otherwise, everything remains essentially the same. If a district wishes to participate in the program, the superintendent must certify to the DOE, in a format prescribed by the DOE, that certain elementary schools within the district have established a comprehensive music education program that:

- 1. Includes all of the students enrolled at the school in grades K-2,
- 2. Is staffed by certified music educators,
- 3. Provides music instruction for at least 30 consecutive minutes two days per week,
- 4. Complies with class size requirements, and
- 5. Complies with DOE standards for early childhood music education programs for students in grades K-2.

Subject to appropriation in the GAA, the DOE then approves the program based on its adopted needs-based criteria. If there are adequate funds in the GAA, districts will receive up to \$150 per FTE for each K-2 student enrolled in the program. This year's GAA includes \$400,000 in recurring funds and \$10,000,000 in nonrecurring funds, which is sufficient to fund over 69,000 students in the state the full \$150 per FTE. To remain eligible, the district must then certify to the DOE annually that each participating school continues to meet the requirements of the law and any SBE rules.

Who is Responsible for or Affected by the Bill? Responsibility for this law will fall on the curriculum departments of participating districts and the individual participating schools to ensure the schools remain compliant.



How Will the Bill Be Implemented? Districts who wish to establish an Early Childhood Music Education Incentive Program at one or more of their schools will need to establish the program and then complete the DOE-required paperwork. The pilot program has been implemented solely through the DOE grants office, but the SBE may adopt rules and forms now that the program is permanent.

**Required Rulemaking?** The SBE had rulemaking authority to implement the pilot program but did not adopt any rules during the pilot period. Instead, everything was handled through the grant process. The SBE retains rulemaking authority for the now-permanent program and may need to adopt rules and forms, such as the application and annual certification forms.

Required Reports? N/A.

Required Training? N/A.

<u>Does the Bill Apply to Charter Schools?</u> No. The law refers to participating school districts. However, a district may be able to include a charter school in its application if the district already planned to participate and a local charter school also wished to participate.

What Problems or Concerns May Arise as a Result of this New Bill? N/A.

<u>Creates</u>: N/A.

<u>Amends</u>: Section 1003.481, Florida Statutes.

<u>CS/HB 703 (Garcia)</u>

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# **District Operations**

## Multiple-Subject Train

CS/CS/CS/HB 1537 (Ch. 23-39) Education

By: Representative Rizo

Effective Date: July 1, 2023 (Concordant Scores effective May 9,

2023)

Approved by Governor: May 9, 2023

What Does the Bill Do? After all of the amendments attaching parts of other bills to this one, a better question might be "What doesn't this bill do?" This new law has 40 sections spread out over 114 pages in the enrolled version of the bill. It addresses, among other things, concordant scores for graduation, charter schools, required instruction, year-round schools, graduation requirements, teacher preparation programs, independent colleges and universities, student behavior and searches, dual enrollment, additional standardized assessment options, school grading formulas, Bright Futures, teacher evaluations, teacher certification, professional development (or learning), and charter school capital outlay funding. If provisions passed both in this law and separately in a stand-alone law, the main summary will be addressed in the discussion of the stand-alone law. For example, the year-round school pilot program is discussed below with HB 891. Also, provisions that are unlikely to affect public schools are not addressed, including several sections focused on the Commission for Independent Education and the private colleges and universities under its purview.

#### **Concordant Scores for Graduation**

After superintendents rang the alarm bells for months to no avail, the Legislature stepped in late to offer some relief to the Class of 2023, which was the class most affected by the pandemic. The Legislature established concordant scores for both the Class of 2023 and 2024. For this year's class, the law re-established the ELA scores available to all previous graduating classes, allowing seniors to meet the old concordant scores (e.g., 430 SAT) or the new ones (e.g., 18 average on ACT English and Reading). For Algebra I, the law does allow seniors to qualify by using the PERT exam, but the required score is much higher than it has been for previous seniors.

With respect to the Class of 2024, the Legislature made it clear that the higher standards adopted by the SBE, which originally were supposed to take effect with the Class of 2022, will not be waived. The Legislature codified the SBE rule. For example, a member of the Class of 2024 will need to achieve a 480 on the SAT if he or she cannot pass the 10<sup>th</sup> grade ELA assessment. Also, the PERT will not be an option next year. The only change to what was already in SBE rule is the addition of the Classic Learning Test (CLT). Students will be able to



achieve qualifying scores using the CLT, and the SBE is directed to establish the appropriate concordant scores for the CLT.

#### Charter Schools

The law amends the charter school statute to provide that charter schools can dismiss students based on academic performance if academic performance was part of its admission criteria. This provision is discussed below in greater detail in the summary of HB 443, which adds a requirement that charter schools implement a progress monitoring plan for at least a semester before it can dismiss a student for poor academic performance.

In addition, this law also addresses capital outlay funding for charter schools. Under current law, charter schools are eligible to receive capital outlay funds if they have been in operation for at least two years and meet some other requirements, including "satisfactory student achievement." The SBE has a rule that defines this to mean no school grade of F or two consecutive grades below a C. However, this new law ignores the SBE rule and instead establishes that a charter school is eligible for capital outlay funds as long as it has not earned two (2) consecutive grades of F, three (3) consecutive grades below a C, or two (2) consecutive "Unsatisfactory" school improvement ratings. In other words, they can receive these public dollars right up until the law requires them to close.

#### Required Instruction / Designated Days

The law creates the "9/11 Heroes' Day," which must be "suitably observed" in public schools on September 11<sup>th</sup> each year. Additionally, beginning this coming school year, students enrolled in Civics and U.S. Government classes must receive at least 45 minutes of instruction on topics involving the history and significance of September 11, 2001. This includes recognizing the sacrifices of military personnel, government employees, civilians, and first responders both on September 11, 2001, and afterwards. Other topics include the historical context of global terrorism; a timeline of events on September 11, 2001; the acts of heroism of first responders and the passengers of United Airlines Flight 93; the national and global outpouring of support and humanitarian aid following the attack; the global response to terrorism; and the "importance of respecting civil liberties while ensuring safety and security." The SBE is required to adopt revised Social Studies standards for inclusion into both the Civics and U.S. Government classes.

This law also adds the "history of Asian Americans and Pacific Islanders" to the list of required instruction topics in section 1003.42, F.S. This history must include "the history of Japanese internment camps and the incarceration of Japanese-Americans during World War II; the immigration, citizenship, civil rights, identity, and culture of Asian Americans and Pacific Islanders; and the contributions of Asian Americans and Pacific Islanders to American society. Instructional materials shall include the contributions of Asian Americans and Pacific Islanders to American society."



#### **Graduation Requirements**

The law also amends high school graduation requirements. Currently, a student is required to get "[o]ne credit in fine or performing arts, speech and debate, or practical arts." Now, it will be "[o]ne credit in fine or performing arts, speech and debate, or career and technical education." Despite the deletion of "practical arts" from the list, the law now provides that a practical arts course that includes artistic content and "techniques of creativity, interpretation, and imagination satisfies the one credit requirement." The same provisions are also in SB 240 (above).

#### <u>Dual Enrollment</u>

Currently, section 1007.271, F.S., requires the DOE to approve any course for inclusion in a dual enrollment program that is contained within the statewide course numbering system. Now, the law will say that the DOE shall approve any course that is "age and developmentally appropriate" and contained in the statewide course numbering system.

### School Grades, Assessments, and Accountability (3rd grade, CLT)

One of the major topics of this new law is expanding the number of assessments students can use for various purposes, besides just the SAT or ACT. The law adds the Classical Learning Test (CLT) to this list, and it de-emphasizes references to College Board programs, like AP courses and the SAT. For example, beginning in 2023-24, school districts may now give 11<sup>th</sup> grade students the SAT, ACT, or CLT exam, instead of just the first two.

With respect to school grades, the law adds a new component for factoring an elementary school's grade. Beginning in 2023-24, the percentage of students who score a three (3) or higher on the ELA assessment in 3<sup>rd</sup> grade will be a separate component used in the grade calculation.

#### Student Behavior and Searches

The law amends the duties of school principals with respect to student discipline and school safety to add a provision about searching a student's belongings:

Any search of a student's personal belongings, including a purse, backpack, or bookbag, must be conducted discreetly to maintain the privacy of the student's personal items within such belongings. Personal items that are not prohibited on school grounds must be immediately returned to the student's personal belongings.

Also, the law amends the zero tolerance statute, which requires school boards to adopt a policy of zero tolerance for certain offenses, but also requires that the policy minimize the victimization of students and staff, as well as protect victims from further victimization. It now apparently adds a self-defense and defense of others provision. "In a disciplinary action, there is a rebuttable presumption that the actions of a student who intervened, using only the amount of force necessary, to stop a violent act against a student, staff, or volunteer were necessary to restore or maintain the safety of others."



#### Teacher Preparation Programs, Certification, and Evaluations; Professional Learning

One of the major themes of this bill, as well as HB 7039, is an emphasis on science-based reading instruction. Additional references to this new emphasis are added to teacher preparation statutes. Another major theme in this bill is changing the emphasis from professional development to professional learning and adding charter schools to various sections addressing mentorship and teacher development programs. Professional learning means "learning that is aligned to the state's standards for effective professional learning, educator practices, and leadership practices; incorporates active learning; is collaborative; provides models; and is sustained and continuous." The law also establishes certain criteria for professional learning activities, such as being aligned to the appropriate state standards, having clear and measurable outcomes, employing multiple measurement tools, utilizing coaching and expert support, providing opportunities for collaboration and reflection, and providing for follow-up activities. The DOE will be tasked with creating "a high-quality professional learning marketplace list that acts as a guide and tool for teachers, schools, school administrators, and districts across the state to identify . . . programs and resources that meet the criteria established in [law] and have demonstrated success in meeting identified student needs."

With respect to teacher evaluations, a provision was added to the law to clarify that a school administrator is not limited to visiting classrooms solely for the purpose of assessing the instructional practice of a teacher for the annual evaluation. "This section does not preclude a school administrator from visiting and observing classroom teachers throughout the school year for purposes of providing mentorship, training, instructional feedback, or professional learning."

For teacher certifications, the law changes some references from professional development to professional learning. However, it also creates a new pathway to obtaining a temporary teaching certificate. Now, a student enrolled in a state-approved teacher preparation program may be eligible. If the student is actively completing the required program field experience or internship at a public school, satisfies the basic background check requirements, completes the subject area requirements or demonstrates subject area mastery, and has completed at least 60 college credits with at least a 2.5 GPA, the student can be awarded a temporary teaching certificate. As was also done in HB 1, all temporary teaching certifications will be valid for five (5) years instead of three (3).

The law still requires each school district to "develop and maintain a system by which members of the instructional staff may demonstrate mastery of professional preparation and education competence as required by law. Each program must be based on classroom application of the Florida Educator Accomplished Practices and instructional performance and, for public schools, must be aligned with the district's or state-supported public school's evaluation system established under s. 1012.34, as applicable." Effective March 1, 2024, the DOE will create a calendar for the review and approval of all professional learning systems, which must be reviewed and approved every five (5) years. In addition, the current law provides that districts can still contract with independent entities to provide professional development/learning. However, the law will now require that these independent contractors have at least three (3) years of experience providing professional learning with demonstrative success. Districts must



also verify that the contracted professional learning opportunities meet the requirements for professional learning now established in law (see criteria set forth a few paragraphs above).

Finally, applicants for renewal of educational leadership certification, beginning July 1, 2025, must earn at least one (1) college credit or 20 inservice points in Florida's educational leadership standards, as established by SBE rule. However, this requirement cannot add to the total number of hours required by the DOE for continuing education or inservice training.

#### **Bright Futures**

As mentioned above, this law adds the Classic Learning Test (CLT) to the list of allowable college readiness exams. The DOE is required to set concordant scores for the CLT to match those required on the SAT and ACT to achieve Florida Academic Scholarship or Florida Medallion Scholarship levels.

Also, after the law was amended last year to allow work hours in place of volunteer hours in some circumstances, it was amended this year to allow students to combine the two. So, students can reach the required 100 hours for Academic Scholars through 100 hours of volunteer work, 100 hours of paid work (as approved by the school board), or a combination of both. For Medallion Scholars, it will be 75 volunteer hours, 100 work hours, or 100 hours combined. Finally, for Vocation Scholars and CAPE Scholars, it will be 30 volunteer hours, 100 work hours, or 100 hours combined.

#### <u>Year-round School Pilot Program</u>

The law creates a year-round school pilot program. The exact same language was enacted in a stand-alone bill – HB 891, which is discussed in greater detail below.

#### **Health and Sex Education**

The law currently requires districts to notify parents on the district's website of their right to request an exemption from the teaching of certain elements of the sex education curriculum. It will now require that districts annually review and confirm that the district's website is current and accurate, and districts must notify parents by physical or electronic means if any revisions are made.

Also, the law will now allow a student to possess and use over-the-counter headache medication on school property or at a school function without a doctor's note or prescription.

Who Is Responsible for or Affected by the Bill? There is something in this law for just about everyone in the K-12 education system.

<u>How Will the Bill Be Implemented?</u> The revised concordant scores became effective May 9, 2023. Hopefully, this helped thousands of seniors receive their high school diploma this year.

**Required Rulemaking?** The SBE has rulemaking authority for implementing the year-round school pilot program (see HB 891, below). It is also required to establish concordant scores for the CLT for both Bright Futures and graduation requirements. The SBE also has new rulemaking authority over postsecondary educator preparation institutes, where the law



previously left it to the Commissioner to review the programs and determine whether they would be approved to continue. Similarly, where the current law required the DOE to adopt "standards" for professional development certification and education competency programs, the law now requires the SBE to adopt rules for the approval and continued approval of professional learning certification programs.

Districts may need to amend their student codes of conduct, zero-tolerance policy, and student search policies to address some of these changes, such as the rebuttable presumption that a student broke up a fight to protect the health and safety of others and the right of students to possess and use over-the-counter headache medication.

<u>Required Reports?</u> The Commissioner must prepare a report for the Governor, Speaker of the House, and Senate President at the conclusion of the year-round school pilot project (see HB 891, below).

**<u>Required Training?</u>** Many of these changes will need to be disseminated to school personnel.

<u>Does the Bill Apply to Charter Schools?</u> Yes and no. Many of the provisions are specifically directed at charter schools, and others apply to all public schools. However, charter schools do not have to teach the required topics of instruction in section 1003.42, F.S., including the new requirement to teach the history of Asian Americans and Pacific Islanders. On the other hand, the DOE is required to incorporate the 9/11 Heroes' Day material into Social Studies standards for Civics and U.S. Government, which charter school students are still required to take.

What Problems or Concerns May Arise as a Result of this New Bill? As is discussed below with HB 443, there is great concern raised by the concept of public charter schools dismissing students for poor academic performance. Section 1002.33, F.S., even provides that charter schools shall fulfill the purpose of increasing "learning opportunities for all students, with special emphasis on low-performing students and reading." It seems counter-intuitive that a school that is required to serve low-performing students can then dismiss them for being low-performing. District sponsors will need to keep a close eye on this issue, making sure that their charter schools are not establishing academic standards for admission except when absolutely required for the program.

There is also some worry about the language creating a rebuttable presumption that a student who intervenes to stop a violent act was taking necessary steps to retore or maintain the safety of others. On its face, it makes perfect sense that a student can act to protect others, using reasonable force, without fear of punishment. However, this new provision codifies some specific standards and legal requirements that may complicate issues at the school. Was the amount of force used necessary? Was the student acting to restore or maintain the safety of others, or did he or she only seek to help a friend "win" an altercation only to later claim it was an effort to restore order? What sort of evidence will be needed to rebut the presumption, and who will determine that?

Similarly, there is nothing inherently wrong with requiring students to learn about September 11, 2001, or the history of Asian Americans and Pacific Islanders. The problem is that these are topics that are declared to be of utmost importance, but then only some of the students



receiving public funds for school are required to take them and no allowances are made within the same 180-day school year to make room for these new requirements.

<u>Creates</u>: Sections 683.335, 1003.07, 1005.11

**Amends**: Sections 1002.20, 1002.33, 1003.42, 1003.4282, 1006.09

Companion Bill: CS/CS/SB 1430 (Avila)

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## **School Choice**

CS/CS/CS/HB 1 (Ch. 23-16) Education (universal vouchers)

By: Representatives Tuck and Plascencia

Effective Date: March 27, 2023 (s. 1012.56, teacher certification)

July 1, 2023 (all other provisions)

Approved by Governor: March 27, 2023

<u>What Does the Bill Do?</u> This new law expands Florida's school voucher program to eliminate almost all restrictions for eligibility, and it also provides some regulatory relief for school districts.

#### Family Empowerment Scholarships and Florida Tax Credit Scholarships

Florida's Family Empowerment Scholarship for Educational Options (FES-EO) and Florida Tax Credit scholarship (FTC) programs currently have income eligibility restrictions and growth caps. Under this new law, the income eligibility restriction is repealed and replaced instead with household income priority levels, as first priority for both the FES-EO and FTC vouchers will continue to be given to students whose household income does not exceed 185% of the federal poverty level (or those in foster or out-of-home care). Now, a second priority level is established for students in households earning between 185% and 400% of the federal poverty level. However, any K-12 student who resides in Florida and is eligible to enroll in a Florida school is now eligible for an FES-EO or FTC voucher. In addition, instead of capping the growth rate for FES recipients with unique abilities (FES-UA) at 1% of Florida's ESE population per year, it will now be capped at 3%, which is expected to eliminate the current waiting list.

This law also changes the allowable uses of FES program funds. Families will now receive an empowerment savings account to use on allowable expenses. In addition to tuition and fees at an eligible private school, funds can be used for instructional materials, curriculum, tuition and fees at a postsecondary institution, standardized testing, contracted services provided by a school district (including classes, but not counted as enrolled), and tutoring services.



Other provisions of the FES and FTC changes that affect school districts, include new language about districts providing an IEP for a non-public school student, allowing districts to use evaluation reports and plans of care developed by licensed professionals to complete the matrix of care. Also, districts will no longer be required to notify all voucher students within the district about statewide assessments, but they still have to inform those parents who request that their student take them. Further, districts are no longer obligated to report all students receiving a voucher, as this will now fall to the DOE. However, it is not clear how much less work will be involved for districts or if this will lead to larger disparities in reported numbers. The DOE will also be responsible for notifying districts about the estimating conference's determination of the number of students who will be participating in the programs.

There are numerous other changes to the FTC and FES programs, but they apply to parents, students, scholarship funding organizations, private schools, and the Department. This summary is focused on items that directly affect districts or require them to do something. Thus, issues like the new choice navigator, home school students who elect to create a personalized education program (PEP) to be eligible to receive funds (20,000-student limit for the first year, increasing by 40,000 each subsequent year), new notice requirements about the inapplicability of the IDEA in private school settings, and account caps are not covered in any depth herein.

#### Part-time Enrollment

The law created a new section addressing part-time enrollment in public school. Section 1002.44, F.S., provides that any public school (district or charter) can enroll a student who satisfies compulsory attendance laws though a religious or private school, a home education program (including the new PEP version), or a private tutoring program, on a part-time basis. A decision to allow such a student to enroll in one or more classes is still subject to space and availability based on the school's capacity. Any student who enrolls part-time in a public school shall generate full-time equivalent funding, but a student who attends by paying directly for contracted services may not be reported for funding. Either way, a part-time student under this new section of law will not be considered to be in regular attendance at a public school for compulsory attendance purposes.

#### Deregulation

Another aspect of this new law was an emphasis on reducing the number of regulatory burdens placed on district schools. First, the law requires the SBE to develop and recommend repeals and revisions to the Education Code by November 1, 2023, to reduce regulation of public schools. It specifically requires that there be recommendations concerning the transportation of students. In developing these recommendations, the SBE is required to "consider input" from teachers, superintendents, administrators, school boards, public and private postsecondary institutions, home educators, and other entities the SBE might identify. Although HB 1 was signed into law on March 27, 2023, neither the SBE nor the DOE has publicly addressed how it intends to carry out this task as of May 23, 2023.



In addition to the deregulatory recommendations expected from the SBE before the start of the next session, the Legislature went ahead and enacted a few deregulatory provisions right away. First, the requirement in section 1003.25, F.S., that student records be transferred to a new school within three (3) school days was expanded to five (5) school days. Next, although it is more deregulatory for students than districts, the law repeals the requirement that all students take an online course as a prerequisite for a high school diploma. This is not based on a particular 9<sup>th</sup> grade cohort, so it will take effect for the Class of 2024 and all future students.

With respect to transportation, the law repeals numerous mandates about when students must be transported by bus and essentially leaves it up to each district to determine the best way to transport students, whether it be by bus or another type of vehicle.

For facilities departments, the law amended section 1011.71, F.S., to allow districts to use their capital outlay revenue raised through the 1.5 millage to pay the salaries and benefits of "employees whose job duties support activities funded by" the capital outlay revenue.

Perhaps the most significant deregulatory changes were made in the area of teacher certifications and several of the obstacles that were preventing some of the alternative certification teachers from continuing in the profession. While the rest of the law takes effect July 1, 2023, these provisions took effect March 27, 2023, when HB 1 was signed into law. First, all temporary teaching certificates were extended from three (3) to five (5) years, and all temporary certificate holders must be assigned a teacher mentor for at least two (2) years, just as was required for the program enacted last year to encourage military veterans to become teachers. Next, teachers who obtain three (3) consecutive years of effective or highly effective evaluations will not need to pass the Mastery of General Knowledge (GK) test. Similarly, if the certification subject requires a baccalaureate degree, receipt of a master's degree or higher will also satisfy the GK requirement. Also, if a teacher obtains three (3) consecutive effective or highly effective evaluations, he or she will not be required to pass the professional education competency examination to demonstrate Mastery of Professional Preparation and Education Competence. However, the teacher will still need to complete all the professional preparation program requirements.

Another significant deregulatory measure was the elimination of the cost per student station restrictions for all unfinished construction projects started on or before July 1, 2026.

#### DOE Portal

Finally, the law requires the DOE to create an online portal that is designed to help parents choose the best educational option for their child. The portal must make recommendations based on answers provided by the parent about the child, give advice about the recommended options, enable schools to develop their own school profile on the portal and connect directly with families who express an interest, and allow parents to complete the school enrollment process through the portal.

Who Is Responsible for or Affected by the Bill? Focusing on the district aspects of the law, the person or office responsible for FTE and state reporting will need to work closely with schools and the district's finance office and pay close attention to enrollment numbers.



Districts with a sizable number of students attending eligible private schools who do not already receive vouchers may see a significant increase in their voucher enrollment numbers. It is also unclear how many home school students will take advantage of the new PEP program or whether the 20,000 available slots this year will be filled on a first-come, first-served basis or evenly distributed among the districts. Although the bill sponsors spoke a lot about the funds following the student, recent experience in the districts has shown that this is not always the case, as students who have been enrolled in a public school for months are still having their funds go to private schools or into their FES accounts rather than to the districts. There is a significant chance of much more student mobility as parents may be tempted to try out a voucher school or a PEP program only to change their mind mid-year and return to a public school. District finance offices will also need to be cautious with district budgets until it is determined just how many new students may apply for and receive a voucher next year. It may be that there are not a lot of new seats available in a district at eligible private schools, or there may be quite a few. With vouchers still being funded in the FEFP through the districts, it is very difficult to know just how much of a financial impact this new law will have on each district.

Numerous other district personnel will also be affected by these changes. District curriculum departments will need to update their student progression plans to remove the online course requirement. HR departments will need to update their certification processes to help guide their newer teachers still navigating forward under a temporary certification. Facilities departments can adjust upcoming construction projects to plan based on best practices and need without being limited by the nearly impossible cost per student station limitations for the next few years. Also, transportation departments will need to look at their routes and practices to see if there are more cost effective ways to serve certain students that may not involve using a school bus.

How Will the Bill Be Implemented? As mentioned above, the office responsible for FTE and other state reporting will need to be on the lookout for significant changes and a potential increase in student mobility. It may be wise to create a special marker for students in the student information system that identifies who has spent time in a voucher school or program. The standard entry and withdrawal codes do not differentiate between withdrew to a voucher school or withdrew to any other private school in the state, country, or world. Mobility trends will need to be identified quickly, and knowing more details about where students are going and coming from will help districts respond more swiftly. This will include identifying what sort of deficits and needs students often demonstrate after returning from voucher schools, as well as keeping tabs on school enrollment and efficiency data. As more students potentially leave traditional public schools, districts are going to need to carefully monitor their facility utilization, because they are not likely to be able to afford inefficient operations.

Further, district teams will want to look at the possibilities offered through part-time enrollment and contracted services. With the difficulties some districts have had receiving funds for students being served when they are also showing up on scholarship-funding organization lists, it may be much more efficient to charge part-time students 1/6 FTE for classes rather than report them to the state for funding. There may also be opportunities to offer contracted services, such as those that may be provided to a student attending public



school with an IEP. Both part-time enrollment and contracted services may prove to be an effective marketing tool for public schools as well, as parents and students will see the benefits of what a public school can offer and may reconsider the private school route.

Finally, every superintendent in the state should be tasking their team members with identifying potential areas for deregulation even if it is not yet known how the DOE will solicit and receive input from stakeholders. Particular focus should be on burdensome and time-consuming requirements that do little to affect teaching and learning. What reports are required by law or rule that generate little or no feedback or do not seem beneficial? How many extra layers of bureaucracy may be involved in a particular area of district operations? What requirements do not seem to work or generate the intended results? For example, are there aspects of the turnaround school requirements that do not achieve the intended purpose, like removing school leadership and teachers before they can truly implement any new plans for success? Also, rather than solely focusing on things that should be removed, everyone in public education should be spending some time thinking about exactly what is necessary to operate a public school in a statewide public school system and what things really are not necessary.

Required Rulemaking? Districts will need to amend their student progression plans, which most districts adopt through rulemaking, to remove references to the online course requirement for graduation. Also, transportation policies may need to be amended to reflect the greater flexibility in methods of transporting students. Other district policies that may address teacher certification, the transfer of records, cost per student station, and other topics covered in this law will need to be reviewed and possibly amended too.

The SBE may also need to amend its transportation rules, as the law now provides that it can adopt rules that are necessary to protect student health and safety, whereas the current law allows them to adopt rules that are necessary "or desirable in the interest of student health and safety." Any rules that may have been merely desirable but not necessary will need to be repealed. With respect to teacher certification rules, the SBE has already initiated the rulemaking process, approving changes to Rules 6A-4.002 and 4.004 to address the new five-year temporary certification and changes to both the GK and pedagogy requirements at its meeting on May 24, 2023. These rule changes should take effect in late June, depending on when they are filed with the Department of State.

**Required Reports?** There are numerous reporting requirements related to the voucher programs, but they are not required of districts. The current requirement that districts report all voucher students residing in the district has been transferred to the DOE.

<u>Required Training?</u> School registrars, or whoever is responsible for transferring student records, need to be advised that they will now have two (2) extra school days to send education records to a new school when a student leaves.

<u>Does the Bill Apply to Charter Schools?</u> Yes. Charter school teachers have the same certification requirements as district school teachers, and charter schools are also eligible to offer part-time enrollment and contracted services.



What Problems or Concerns May Arise as a Result of this New Bill? There is a lot of uncertainty about how many new students will be eligible and will choose to receive a voucher this coming year. As long as voucher students remain funded through district FEFP allocations, it will remain difficult for districts to create accurate budgets when they may not know the true picture until the 3<sup>rd</sup> Calculation comes out in January. Hopefully, the budget language establishing the Educational Enrollment Stabilization Program with the goal of preventing districts and charter schools from suffering the effects of proration will alleviate many of the problems that have been caused by the rapid expansion of the voucher programs in recent years. However, uncertainty remains, and the lessons of Arizona's recent foray into universal vouchers loom large. Further, even if there is not a significant increase in numbers this year, it is quite possible that more private schools will choose to accept vouchers in the future, and the law allows for 40,000 more home school/PEP students to receive vouchers next year.

The constant narrative from proponents of these voucher programs is that the money should fund students, not systems. However, they often ignore the fact that much of the FEFP, even in its somewhat modified format this year, is based on services provided by the system. Some of the funds generated by students in district schools are based on the system services they receive, and certain categorical allocations have to be spent in a certain way. If a district receives \$8,000 to educate a student while a similar student receives \$8,000 in voucher funds, there are numerous restrictions on the way a district can spend the \$8,000 that do not apply to the voucher funds. Safe schools, mental health, reading, class-size, transportation, and other categoricals are restricted and usually insufficient to cover the mandated expenses in the first place. There are also teacher certification requirements, salary schedule mandates, curriculum restrictions, mandated testing, school grades, turnaround requirements, and other factors that bind public school hands. Private schools and home education programs do not have those restrictions, but the Legislature continues to assert that everyone is on equal footing under this system and able to compete evenly.

On the positive side, there was also a lot of talk this session about the need to deregulate public schools and even the playing field, and it was a positive sign to see some effort to start the process within this law. However, one need only look at the rest of this summary to see that restrictions and burdens continue to be imposed on districts and district schools. New topics of required instruction to fit within the same school day, fewer funds to maintain existing public facilities and fund competitive new facilities, more restrictions on what can be taught and how, significant increases to the cost of doing business on a fixed income (e.g., FRS and property insurance), and more. For every provision providing districts with relief this year, there appear to be several new ones to take their places. And yet, there is so much deference made to parental choice, except when the parent chooses a traditional public school. Parent choice and one of 20 or more nationally recognized standardized tests is the only accountability required for private schools and the new PEP program. Charter schools may have to participate in the state's accountability system, but parent choice provides them with an exemption from having to follow most of the Education Code. Where is the recognition that most parents in Florida are aware of all the options available but continue to send their children to traditional public schools in the district?



Finally, it is a little concerning that the law only directs SBE to "consider input" from stakeholders about potential repeals and revisions to the Education Code. A special commission or task force made up of all stakeholders might seem more likely to produce significant recommendations, but it remains to be seen what the SBE will do in response to this task. Ultimately, districts need to be ready to provide significant contributions to the SBE to help it in its task.

<u>Creates</u>: Section 1002.44, Florida Statutes.

**Amends**: Sections 1001.10, 1002.01, 1002.394, 1002.395, 1002.421, 1003.01,

1003.25, 1003.4282, 1006.21, 1006.22, 1006.25, 1006.27, 1011.71,

1012.56, and 1013.64, Florida Statutes.

Companion Bill: CS/CS/SB 202 (Simon)

Final Legislative Analysis

CS/CS/HB 443 (Ch. 23-102) Education (charter schools and more)

By: Representative Valdes

Effective Date: July 1, 2023
Approved by Governor: May 17, 2023

What Does the Bill Do? While this bill did not become a huge train bill, like HB 1537 (above), it still picked up several provisions that covered a wide range of topics, including childcare, charter schools, the Teacher Classroom Supply Assistance Program, community schools, private tutoring, and more. The main focus of this discussion will be on the charter school provisions.

#### **Charter School Provisions**

First, the law amends enrollment preferences to allow charter schools to give an enrollment preference to any children of a safe-school officer at the school. Then, in response to the provision added to HB 1537 about charter schools being able to dismiss students for poor academic performance, this law adds a requirement to section 1002.33(10)(e)5., F.S., to provide that a charter school which limits enrollment based on academic, artistic, or other eligibility standards "must place a student on a progress monitoring plan for at least one semester before dismissing such student from the school."

Next, this new law allows a charter school to use "any unrestricted current or capital assets identified in the charter school's annual audit . . . for other charter schools operated by the [same] not-for profit entity which are located outside the originating charter schools' school district, but within the state, through an unforgiveable loan that must be repaid within 5 years." Thus, local capital assets, some of which will come from local capital tax revenue, can be shared with schools in other districts. The law refers to there being an unforgiveable loan, but it is not



clear how there can be any sort of legally binding agreement when the lessor and lessee are the same not-for-profit entity. If the school in the other district fails or goes bankrupt, it is not clear how anyone can guarantee that the assets will be returned to the originating district.

The charter provisions also address the timely review and disbursement of federal grant funds. The law already requires districts to "make timely and efficient payment and reimbursement to charter schools, including processing paperwork required to access special state and federal funding." It now specifies that this provision includes the timely review and reimbursement of federal grant funds. The law now gives districts 60 days to reimburse charter schools for federal grant funds, provided the charter submitted all the necessary information to qualify for the reimbursement. It does not matter whether the district has had those federal funds released to it by the DOE either. The current law gives districts 10 days to pay after it receives the federal funds. Now, it will be either 10 days after actual receipt of the funds or "within 60 calendar days after an approved submittal for reimbursement of federal grant funds." Failure to do so will continue to require the district sponsor to pay interest at a rate of 1% per month.

The new law also addresses the services a sponsor provides for charter schools. It requires districts to provide training to charter schools on any system the district will require the charter to use. So, for example, if the district requires all charter schools to use the same student information system (e.g., Skyward or Focus) as the district, then the district must train the charter schools on the use of that system. More importantly, the law will now require district sponsors to "annually provide a report to its charter schools on what services are being rendered from the sponsor's portion of the administrative fee. The report must include the listed services and be submitted to the department by September 15 of each year."

Finally, with respect to charter schools, the law requires the DOE to adopt a standard monitoring tool along with the standard charter application, standard charter agreement, and other standard forms. The new law does not say what is being monitored or by whom, but according to the legislative analysis, this will be a tool for district sponsors to use when conducting an annual site review of charter schools.

#### Other Topics

As mentioned above, this law covers a variety of other topics as well. It requires districts to put up a poster in each cafeteria with step-by-step instructions on how to render emergency first aid to someone who is choking. Similar to the expansion of temporary teaching certificates from three (3) to five (5) years, this law amends the certification of adjunct educators from three (3) to five (5) years as well. There are also provisions about childcare facilities, which primarily focus on the creation of a report every five years that will address training requirements for childcare personnel and licensing and regulation requirements for childcare facilities. Further, there is also language about private tutoring programs, which is one of the allowable methods for meeting compulsory school attendance laws.

With respect to community schools, the current law instructs the Center for Community Schools at UCF to prioritize grant awards to "districts in which the community school model has not been established and which demonstrate the technical and financial ability to sustain the



community school model." It will now include a second possible basis for priority, which will apply to districts "expanding a program based on the feeder pattern of an existing community school in the district." The law also clarifies that districts and the DOE must provide the Center with the data necessary for the Center to complete its annual report and conduct a thorough evaluation of the community school model. Some of this data will now include not just the academic progress of the students enrolled in the community school, but also the progress of students who participate in services at the school (though may not be enrolled) and progress data of schools identified as comparison sites as well.

Finally, this law also makes some amendments to the Teachers Classroom Supply Assistance Program. It will now provide that a classroom teacher can "include an administrator or a substitute teacher who holds a valid teaching certificate who is filling a vacancy in an identified teaching position on or before September 1 of each year." Districts will now also be required to "calculate a prorated share of the funds for a classroom teacher who teaches less than full time."

Who Is Responsible for or Affected by the Bill? There is a little here for almost everyone. The charter school provisions will fall primarily on whoever oversees charter schools for the district, such as a director of alternative education or school choice. As discussed in HB 1537 (above), it will be very important to determine which charter schools, if any, are enrolling students based on academic, artistic, or other performance standards. Are those enrollment standards justifiable for that public, charter school? If not, they should be removed, and the charter school should not be dismissing students based on academic performance. If the provisions are valid, then the charter school will need to implement progress monitoring plans for its struggling students. The charter school office will also need to be on the lookout for the DOE's development of a standard monitoring tool for districts to use when conducting annual site reviews. Perhaps most importantly, this person will need to compile an accounting of all the services the district provides to its charters as part of its withholding of the administrative fee.

The district's finance office will also need to be on the lookout for any transfers of assets to other schools in other districts, and both it and the district's federal grants people will need to be aware of the new 60-day reimbursement requirement, which applies even if the district has not yet received the federal funds. Assuming the finance office oversees the disbursement of classroom supply funds, it will also need to be aware of the provisions for administrators and certified substitutes, as well as the need to prorate the award for teachers teaching less than full time.

The district's health department and food services will probably need to coordinate on the placement of choking posters in cafeterias. The county health department may have good examples and, perhaps, resources to provide such posters at no cost.

<u>How Will the Bill Be Implemented?</u> Much of this law is largely self-executing or simply requires a modification to standard operations. Reimbursement of federal grant funds need to be paid within 60 days. The standard evaluation tool, once adopted, needs to be used when



conducting annual site reviews of charter schools. Choking posters need to be displayed in cafeterias.

With respect to the annual report detailing the services provided to charter schools, all of the various offices that interact with charter schools will need to identify what services they provide. The law refers to contract management services, FTE and data reporting, ESE services, free and reduced lunch reporting, test administration services, teacher certification processing, and information services. Who within the district is responsible for providing these services, and how are they provided? What other services does the district provide to charters? Financial review, grant review and processing, and general guidance and training all seem to be regular services districts provide to charters. This annual report of services rendered to charters will need to show the full extent of what districts have to do for the small administrative fee. It cannot leave the impression that districts do not render enough services to justify it.

<u>Required Rulemaking?</u> The SBE is required to adopt a standard monitoring tool for sponsors when conducting annual reviews of charter schools. This will almost certainly be added to the incorporated forms in Rule 6A-6.0786, F.A.C.

**Required Reports?** Districts with charter schools will need to prepare an annual report to their charter schools about the services they render for the administrative fee, and this report must also be submitted to the DOE by September 15<sup>th</sup> each year. Also, for districts with community schools, both the district and DOE will need to provide data to the Center for Community Schools for its required annual report.

**Required Training?** If they are not already doing so, districts that require charters to use certain systems, such as a student information system, need to train charter schools on the use of those systems. Also, once the standard monitoring tool is adopted, district staff engaged in annual site reviews of charters may need some training on the new instrument.

<u>Does the Bill Apply to Charter Schools?</u> Yes and no. Obviously, the changes to section 1002.33, F.S., apply to charters. Arguably, the requirement that choking posters be displayed in cafeterias also applies, as it is clearly a health, safety, and welfare law. However, the choking provision is contained in section 1003.02, F.S., which is directed at district school boards. The childcare and private tutoring provisions are unrelated to charter schools. Finally, the changes to the Teachers Classroom Supply Assistance Program appear to be aimed specifically at charter schools, where administrators also serve dual roles as both administrator and classroom teacher.

What Problems or Concerns May Arise as a Result of this New Bill?

Although some of the original provisions in this bill, which were even more burdensome, did not become law, this new law continues the trend of assigning more and more responsibilities on district sponsors, for the same fees, instead of on the charter schools that chose to open and operate within the district. As discussed in HB 1537 above, the idea of a public school (charter or not) dismissing a student for poor academic performance is alarming. Districts need to make sure that these provisions are only used in legitimate situations where the charter school has a valid reason for



establishing academic, artistic, or other performance standards for admittance. It makes sense for an academic magnet program, like IB or AICE, to have entrance requirements and performance expectations. Similarly, certain other specialty programs, like many CTE programs, should expect students to perform well in the required courses. However, most charter schools are just like other public schools and should not restrict entrance or condition continued enrollment to high performing students.

With respect to documenting what services a district provides for charters, it can be difficult to capture everything. It is not entirely clear whether a simple list of services provided will suffice or if additional details will be required, such as names, dates, length of time, and other specific details. While certain district staff may interact with charters regularly (e.g., HR, finance, ESE, curriculum), there are numerous others who may do so less regularly. Are staff members expected to document every time a phone call or email is received about a charter school?

Next, districts often have to undergo lengthy submission and review periods before the DOE releases federal grant funds. There does not seem to be any valid reason for requiring districts to pay out these grant funds to charters before the district has received the funds, especially when district submissions and amendments often get delayed while waiting for charter schools to submit accurate and complete information.

Finally, it is incredibly concerning that a charter school can receive capital outlay funds from local taxpayers and then "lend" those funds, or capital assets purchased with them, to a charter school in another district. If that receiving school goes bankrupt, the fact that there was an "unforgiveable" loan does not do much to make sure that the funds or assets will return to the district from which they were raised.

<u>Creates</u>: N/A.

<u>Amends</u>: Sections 402.305, 1002.82, 1002.945, 1002.33, 1002.43, 1003.02,

1003.64, 1012.57, and 1012.71, Florida Statutes.

CS/CS/CS/SB 986 (Burgess)

Final Legislative Analysis

CS/CS/HB 1259 (Ch. 23-69) Education (charter school capital outlay funding)

By: Representative Canady

Effective Date: July 1, 2023
Approved by Governor: May 11, 2023

What Does the Bill Do? This new law adjusts the way capital outlay funding for charter schools will be calculated. First, for districts that have a voter-approved school capital outlay surtax pursuant to section 212.055(6), F.S., the method for determining a charter school's proportionate share of the surtax revenue has been amended. The law will now provide that



the "proportionate share" is determined by using the capital outlay full-time equivalent (COFTE) number. Thus, the calculation is based solely on students attending either a physical district or charter school and will not include other students in the district, such as virtual school students, home education students, or private school students, even though districts are required to have a plan for all students within the district.

More importantly, this new law changes the way districts have to calculate their capital outlay payouts to charter schools pursuant to section 1013.62, F.S. Since 2018 and the enactment of HB 7055 that year, districts have not had to share any of their 1.5 discretionary millage (section 1011.71(2), F.S.) unless the Legislature failed to provide sufficient PECO dollars to charter schools. Since 2018, the Legislature has fully funded PECO, so districts have not had to share. Now, the new law essentially repeals HB 7055 and reinstates the provisions of 2017's HB 7069, which prompted multiple lawsuits and led to HB 7055 being enacted as a way to solve the problems HB 7069 created.

The law will now provide that districts must share their 1011.71(2) discretionary millage dollars as follows:

- 1. Calculate the total revenue from the discretionary millage.
- Subtract from the total the amount of annual debt service obligation the district incurred as of March 1, 2017, which has not been retired, and any special facilities participation requirement.
- 3. Divide the resulting total by the district's COFTE number to determine a per pupil total.
- 4. Multiply the COFTE per pupil total by the number of full-time equivalent students at each charter school to determine how much each charter school should receive in capital outlay dollars.
- 5. Reduce the total from #4 by the amount of PECO dollars received by the school.

The remainder from #5 is what the district will owe the charter school from its discretionary millage revenues, except that this total will be phased in over 5 years by 20% increments. So, if a district owed a charter school \$10,000 after completing all the calculation steps, it would only pay the charter school \$2,000 in the 2023-24 school year. The following year, it would be 40% of the total after doing the calculations using 2024-25 numbers. This would be repeated until districts would owe charter schools 100% of the remainder beginning in the 2027-28 school year.

Finally, the new law made some changes as to charter school eligibility and allowable expenditures. All of the previous eligibility requirements remain, including a clean audit, satisfactory student performance (but see HB 443 above), and not serving students in a facility provided by the sponsor. To be eligible for the funds, a charter now must also attest in writing to the DOE that all unencumbered funds and all equipment purchased with public funds will revert to the district. The law still provides that conversion charter schools are not eligible for these funds, but it also adds to the ineligible list both lab schools and charter schools where a member of the governing board or a family member has an interest in or is an employee of the school's landlord (except for charter schools in the workplace or municipality under section 1002.33(15), F.S.). Next, districts must still distribute capital outlay funds to the eligible charter



schools by February 1 each year. Lastly, the law now provides that any "purchase, lease-purchase, or lease made pursuant to this subsection must be at the appraised value," which means "the fair market value as determined by an independent, Florida-licensed, qualified appraiser selected by the governing board." The charter must provide documentation of the appraised value to the DOE upon request, but there is no provision for providing documentation to the district sponsor.

Here is an example of how this new law will work:

- District has 900 students in district schools.
- District has 100 students in charter schools, all of whom attend an eligible charter school.
- District receives \$2 million from its 1.5 discretionary capital outlay millage.
- District has to pay \$1,000,000 in debt service from pre-2017 debt.
- District has no special facilities obligations.
- Divide (\$2 million \$1 million) by (900 + 100) = \$1,000.
  - o Then multiply \$1,000 x 100 students = \$100,000
  - o If the charter school receives \$50,000 in PECO funds, the district owes \$50,000 to the charter school from its 1.5 millage proceeds.
  - o With the five-year phase in plan, district would pay \$10,000 (20%) in 2023-24.

Who is Responsible for or Affected by the Bill? This new law will have a significant impact on district finance and facility departments for all districts with at least one eligible charter school. Five-year facility plans and district budgets will have to be amended to account for the significant reduction in capital outlay revenue that can be expected in the coming years. Even with the five-year glide path, the Legislature estimates that the cost for districts in the first year will be \$55.9 million. Without the provision that districts only pay 20% of the total owed under the formula this coming year, it would be close to \$280 million. If the Legislature had not fully funded the PECO allocation at about \$213 million, this law could be taking approximately \$500 million from local taxpayer revenue traditionally raised for the maintenance and upkeep of taxpayer-owned facilities.

Districts will become even more restricted in their ability to upgrade or build new facilities, as many already struggle with deferred maintenance, which will now become an even bigger issue. Furthermore, district finance departments will have to be extra careful about incurring any new debt, as the law does not allow districts to offset what they owe against any debt that was not already on the books in early 2017.

<u>How Will the Bill Be Implemented?</u> District finance departments will disburse the appropriate amounts by February 1<sup>st</sup> of each year based on the year's revenues and the district's COFTE numbers as determined by the estimating conference. District facilities departments will need to adjust their state-mandated facility plans to account for the significant reduction in revenue.

Required Rulemaking? N/A.

**Required Reports?** N/A.



**Required Training?** N/A.

**Does the Bill Apply to Charter Schools?** Yes.

What Problems or Concerns May Arise as a Result of this New Bill? First and foremost, capital outlay dollars are not spent on a per pupil basis, and any district who did so would be engaging in financial mismanagement. Capital outlay dollars are spent based on need and carefully constructed, long-term facility plans required by law, which address the maintenance, repair, upkeep, and building of public facilities. A student attending a 40-year-old school is probably going to be in a facility with much greater facility needs than a student who attends a 10-year-old school. Roofs, HVAC systems, floors, plumbing, and more, all have expected life cycles and must be scheduled for replacement as facilities age. Schools cannot wait until a roof fails before getting to work replacing it. OPPAGA conducted a study on this subject last year and released its report in December of 2022, recommending that capital outlay dollars should be spent based on demonstrated need. This law completely rejects that recommendation and draws no distinction between a student attending a 50-year-old public school; a 15-year-old public school in need of a new HVAC system; and a privately-owned, three-year-old rented facility in a shopping center.

School districts manage taxpayer-funded facilities that must be prepared to serve all children within the district and often serve numerous other roles for the community, including as hurricane shelters, places for recreational activities, community events, school and community club and organization meeting venues, and more. These facilities had to be built and must be maintained according to a strict building code (SREF), and districts have a fiduciary obligation to the taxpayers to maintain these facilities and plan for the future. These tasks have been harder to accomplish ever since the Legislature reduced the maximum amount of the discretionary millage from 2.0 to 1.5 more than a decade ago, and it will now be even worse.

Deferred maintenance is already a tremendous problem in many districts, and some districts have made financially prudent decisions since 2017 involving their debt but may now be penalized for this. The belief that districts might intentionally incur debt or practice financial mismanagement just to avoid sharing capital outlay dollars with a charter school is unreasonable, and yet this appears to have been the rationale for leaving 2017 as the debt-service cutoff date.

Going forward, significant local tax dollars will be spent on rental payments to private landlords of facilities that were not built to SREF standards, do not serve as hurricane shelters, and rarely serve as community meeting places. If the charter school fails, these dollars will not return to the district, even though all of the school's students may be looking for a seat in a district facility afterwards.

Finally, this new law may have the unintended consequence of increasing local tax bills, as many districts may not have any other choice but to seek passage or renewal of a school or local government infrastructure surtax. Also, any district that is not already levying the full 1.5 mills may be required to raise rates to that limit.

<u>Creates</u>: N/A.



Amends: Sections 212.055 and 1013.62, Florida Statutes.

<u>CS/CS/SB 1328 (Boyd & Hutson)</u>

Final Legislative Analysis

### Teachers

CS/HB 1035 (Ch. 23-38) K-12 Teachers

By: Representative Gonzalez Pittman

Effective Date: July 1, 2023
Approved by Governor: May 9, 2023

What Does the Law Do? This law addresses teacher training, teacher classroom authority, and the recruitment and retention of teachers through expanded opportunities and a teacher apprenticeship program. It also establishes a new Chapter 1015, F.S., which is entitled the Teachers' Bill of Rights, similar to the establishment of the Parents' Bill of Rights in Chapter 1014, F.S., two years ago.

#### Teacher Training Requirements

First, the law directs the Commissioner of Education, by December 31, 2023, to review all classroom teacher training requirements, including all federal, state, or local requirements. Then, the Commissioner must assess those requirements and determine if there is any duplication. In assessing the requirements, the Commissioner must also evaluate whether the elimination of any of the state or local district requirements could have a negative impact. Further, this review process must include a review of classroom teacher training requirements in other states. Finally, the Commissioner must then "[e]liminate any classroom teacher training requirements not required by federal or state law" and make recommendations to the Legislature, as appropriate, for the elimination of requirements of state law or local district policies.

#### **Teacher Authority**

With respect to teacher rights, the law first adds authority to the DOE's Office of Inspector General to "investigate allegations or reports of suspected violations of a student's, parent's, or teacher's rights." While the Office is designed to detect financial fraud and abuse within the education system, it is not clear that this new language is limited to investigations related to financial matters.

Next, the law amends section 1003.32, F.S., which establishes a teacher's authority in the classroom. Where teachers currently have some authority over student discipline, this law may expand on it and requires additional interaction between the principal and teacher. This statute was not clearly written before and remains unclear. It still says that a principal can



impose the teacher's recommended sanction or a greater sanction, if the student has a disciplinary history that warrants it. Currently, section 1003.32, F.S., provides that a principal should consult with the teacher first if the principal determines that a lesser sanction than recommended by the teacher is appropriate. From there, despite the law saying that the principal had only the two choices, lesser disciplinary sanctions have been imposed by schools for years.

Under the new law, there is no longer a reference to "a lesser" sanction. The amended subsection (3) will now read:

(3) A teacher may send a student to the principal's office to maintain effective discipline in the classroom and may recommend an appropriate consequence consistent with the student code of conduct under s. 1006.07. After determining that the student has violated the student code of conduct, the principal shall respond either by employing the teacher's recommended consequence, or by imposing a more serious disciplinary action, if the student's overall behavioral history warrants it. If the principal determines that disciplinary action other than that recommended by the teacher is appropriate, the principal should consult with the teacher before taking disciplinary action. If the principal determines that the student has not violated the student code of conduct, the principal may not impose any discipline. The principal shall notify the teacher of any decision regarding discipline, or lack thereof, and interventions provided to a student to address the behavior. If the principal deviates in any way from the teacher's recommendation, the principal must provide the reasons for any such deviation in writing to the teacher.

Now, the principal should consult with the teacher if the principal determines that a penalty other than the one recommended by the teacher is appropriate. Presumably, this just means that the principal should consult with the teacher first before imposing a lesser or harsher penalty, not just when it is a lesser penalty. However, this is not perfectly clear.

Further, the principal is required to notify the teacher of any disciplinary decision, or lack thereof, if the principals determines that the student did not violate the student code of conduct, as well as any interventions put in place to address the behavior. Finally, if the principal "deviates in any way from the teacher's recommendation, the principal must provide the reasons for any such deviation in writing to the teacher." Thus, it seems more likely than not that this new provision does not completely change the authority to impose discipline at the school, but it could create confusion.

#### <u>Teachers' Bill of Rights</u>

With respect to the Teachers' Bill of Rights, the Legislature essentially has pulled together existing provisions of law, including section 1003.32, F.S., into one place. However, there are a few additions. The Teachers' Bill of Rights sets forth a teacher's employment rights, as established in section 447.301, F.S., and various sections of the Education Code. They also have a right to continuing education through professional development and a tuition and fee waiver



for up to 6 credit hours at a state university or college. Next, they have a right to control their classrooms, which is primarily established already in section 1003.32, F.S. However, it adds that, when a teacher faces litigation or professional practices sanctions for actions taken to maintain order in the classroom, "there is a rebuttable presumption that a teacher was taking necessary action to restore or maintain the safety or educational atmosphere of his or her classroom." It is not clear what is meant by restoring or maintaining the "educational atmosphere" of the classroom.

The Legislature also created a special magistrate process for teachers to bring complaints, if they believe they have been instructed by the school or district to violate the law or SBE rules. As with the special magistrate process created for parents last year in HB 1557, the cost of the special magistrate must be borne by the district no matter the merits of the complaint or outcome of the case. The special magistrate will render a recommended decision within 30 days, and the decision must then be approved or rejected by the SBE. If the SBE upholds a decision that the district is in violation of the law or SBE rule, the SBE may withhold the salary of the superintendent until the violation is corrected. The law does not mention what happens if the special magistrate finds that the school was in violation, not the district, nor is there any requirement that the teacher attempt to resolve issues locally first, like there is with the parental rights complaint process.

#### Teacher Recruitment and Retention

Finally, the law addresses teacher recruitment and retention. It creates the Dual Enrollment Educator Scholarship Program, which will assist high school teachers to obtain graduate degrees and other necessary credentials to teach dual enrollment courses on their high school campus. Teachers awarded a scholarship under this program will have three (3) years to complete the program of study and then must teach at least one general education class per semester at a public school while remaining in the district (or another eligible district) for at least three (3) years after completing the degree.

There is also a new teacher apprenticeship program to create an alternative pathway to teacher certification. A person with an associate degree, a 3.0 GPA, and a temporary apprenticeship certificate (newly created temporary certification) may participate. They would spend two years in the classroom of a mentor teacher using team teaching strategies (with classroom enrollment allowed for up to 1.5 times over the number allowed under the Class-Size Amendment) while the apprentice works as an education paraprofessional. There are specific requirements for mentor teachers, including seven (7) years of experience and highly effective performance evaluations for the last three years. Mentor teachers are also eligible for a bonus.

Then, another recruitment effort is established through the "Heroes in the Classroom Bonus Program." This allows the DOE to award bonuses to retired first-responders and veterans who commit to becoming a classroom teacher. The bonus can be larger if they agree to teach in a critical shortage area. They must first obtain a professional or temporary certificate and commit to working with a district or charter school for at least two (2) years.



Who Is Responsible for or Affected by the Bill? Many teachers and future teachers will be affected by this new law. Some may be able to obtain higher degrees to start teaching dual enrollment courses, while many other people may have new pathways to becoming a teacher. All teachers will need to navigate this new emphasis on their authority over their classrooms. Good schools work best when everyone works together as a unit, not as individual fiefdoms where each classroom is an island. If the changes to the provisions about classroom management and discipline do little more than add a written notice requirement of all outcomes, not much should change here other than additional paperwork requirements for administrators. However, if the intent was actually to restrict principals from imposing lesser sanctions than recommended by the teacher, those teachers seeking to exercise such control may find a host of unintended consequences waiting for them.

Depending on just what is intended with the changes to section 1003.32, F.S., and the creation of the Teachers' Bill of Rights, school administrators will also be affected significantly by this part of the law. First, the principal has to notify the teacher of any disciplinary decision, as well as interventions that will be provided to address the behavior. Then, if the principal imposes any sanction other than the one recommended by the teacher, he or she must notify the teacher in writing of the reasons for this deviation.

For the apprenticeship and Heroes in the Classroom programs, district HR departments will need to read these new provisions carefully and look to implement new recruiting strategies to take advantage of them. HR and professional development teams will also need to identify, recruit, and train potential mentor teachers.

Curriculum departments will also need to look at the new dual enrollment possibilities that may be created by the initiative to bolster teacher credentials. What does the current articulation agreement with the local college say about dual enrollment courses offered by district teachers on district campuses? This agreement may need to be amended if local teachers take advantage of the opportunity over the next few years.

**How Will the Bill Be Implemented?** First and foremost, the SBE and DOE have some work to do to adopt rules for several of the new programs created in this law, and the Commissioner has until the end of the year to complete the study on teacher training requirements.

As mentioned above, HR and professional development teams will need to prepare for the new apprenticeship program. Are there staff members in the district who meet the minimum criteria? Are they interested in pursuing this opportunity to become a teacher? Do we have potential mentors ready to work with an apprentice in a team-teaching model for two years? These teams should also be looking at local training requirements now, as this law clearly intends for these to be reduced or eliminated.

Additionally, HR and student services departments will need to work with schools on student disciplinary procedures. Principals, after weighing all the evidence, may believe that a lesser sanction than recommended by the teacher is appropriate. They **should** consult with the teacher before imposing this lesser sanction. They **shall** notify the teacher of any disciplinary



decision and interventions. Finally, they *must* notify the teacher *in writing* if the sanction deviates in any way from what the teacher recommended. Thus, the best approach may be to consult with the teacher first and ask the teacher to make a lesser recommendation so that no additional written reports are required.

Required Rulemaking? The SBE must adopt rules for the Dual Enrollment Educator Scholarship Program, the Teacher Apprenticeship Program, and the Heroes in the Classroom Bonus Program. It is also likely that the SBE will need to adopt rules for the special magistrate process for teacher complaints, similar to what was adopted following last year's HB 1557. Hopefully, the rule will include some limitations that will allow some of the more frivolous claims to be dismissed without the need for the appointment of a special magistrate.

Districts may need to look at their Student Code of Conduct and any policies involving classroom behavior or teacher authority.

**Required Reports?** There is no new reporting required by the Law.

**Required Training?** There are no explicit requirements for new training here, but there may be some training requirements for those who will serve as mentor teachers for apprentices. Additionally, it may be necessary to work with principals and other school administrators on best practices for handling and processing disciplinary referrals.

<u>Does the Bill Apply to Charter Schools?</u> Yes and no. For the provisions outlining teacher training and certification, this law does apply to charter schools. Teacher certification is the same for both traditional and charter school teachers. However, the special magistrate language and the control of the classroom language does not appear to apply to charter schools. First, section 1003.32, F.S., is not listed as one of the statutes that charter schools must follow. Second, the Teachers' Bill of Rights refers only to school districts when discussing a teacher being directed to violate the law or rule and seeking a special magistrate.

What Problems or Concerns May Arise as a Result of this New Bill?

It is not clear how the Commissioner will eliminate any classroom teacher training requirements not mandated by federal or state law. Presumably, this would mean eliminating any local district requirements, but these may be board-adopted policies or provisions approved in a collective bargaining agreement. While there is a provision for the Commissioner to make suggestions to the Legislature for eliminating local policies, it is not clear what power the Commissioner has to simply eliminate them on his own.

With respect to the language about teacher authority within the classroom, section 1003.32, F.S., already creates some confusion in the difference between establishing and maintaining classroom rules of conduct and the much larger issue of infractions of the student code of conduct, including SESIR offenses, which often require interviewing witnesses, reviewing evidence, and making fine distinctions. Teachers are not expected to interview witnesses, refer to DOE guidance on SESIR reporting, and make the final decision about whether the offense had the necessary monetary value to rise to the level of vandalism, for example. Similarly, they may not have all of the background information on a student to know the appropriate consequence in a particular instance. Hopefully, the amendments to section 1003.32, F.S., and



repeating this language in the new Teachers' Bill of Rights chapter will not create a false sense that individual teachers can or should make final disciplinary decisions for all violations of the code of conduct.

Finally, there are numerous questions that remain about the special magistrate process. Why is there no process to raise and correct the issue locally first, as there is with parent complaints? What parameters will be in place to prevent abuse or bizarre interpretations of "directions" or the law? What restrictions, if any, will the SBE adopt to prevent unnecessary litigation? The statutory remedy for a violation says that the superintendent forfeits his or her salary if the district is found to have violated the teacher's rights, but it is silent as to other possible findings or remedies. What happens if the school directs the teacher to violate the law but not the district? Every district should have a grievance process in place already, but this law appears to allow teachers to bypass it, which may be contrary to board policy or the collective bargaining agreement.

<u>Creates</u>: Sections 1009.31, 1012.555, 1012.715; Chapter 1015 (sections 1015.01-

.06), Florida Statutes.

**Amends**: Sections 1001.20, 1003.32, 1009.26, 1012.56, 1012.59, Florida Statutes.

<u>Companion Bill</u>: <u>SB 244 (Calatayud)</u>

Final Legislative Analysis

CS/HB 1125 (Ch. 23-165) Interstate Education Compacts

By: Representatives Smith and Hunschofsky

Effective Date: July 1, 2023 Approved by Governor: May 26, 2023

What Does the Bill Do? This new law creates section 1012.993, F.S., which is entitled "Interstate Teacher Mobility Compact." The goal is to make it easier for teachers to move between member states without needing to meet excessive licensure requirements. While it could help many teachers, one of the specific goals is to assist teachers who are military spouses and often have to move between states with their spouse. The compact takes effect once at least 10 members states have joined (Florida is approximately the sixth state to approve the compact with as many as 12 other states currently considering legislation to join the compact).

Who Is Responsible for or Affected by the Bill? This will largely fall on the DOE to manage as a member state of the compact. However, districts with or near military bases may want to have their HR departments pay closer attention to the compact and its progress, as they may have more opportunities to hire qualifying teachers or receive questions from current employees who may be facing relocation.



<u>How Will the Bill Be Implemented?</u> The compact creates a commission made up of the member states, which will adopt necessary rules and administer the program.

**Required Rulemaking?** The commission of member states has rulemaking authority to implement the provisions of the compact.

Required Reports? N/A.

Required Training? N/A.

<u>Does the Bill Apply to Charter Schools?</u> Yes, as it will address the certification of teachers moving to Florida.

What Problems or Concerns May Arise as a Result of this New Bill? N/A.

<u>Creates</u>: Section 1012.993, Florida Statutes.

Amends: N/A.

Companion Bill: SB 1446 (Wright)

Final Legislative Analysis

# School Calendar or Schedule

CS/HB 733 (Ch. 23-78) Middle School and High School Start Times

By: Representative Temple

Effective Date: July 1, 2023
Approved by Governor: May 12, 2023

What Does the Bill Do? This new law will require, beginning July 1, 2026, all public middle schools to start school no earlier than 8:00 am and all public high schools to start school no earlier than 8:30 am. In preparation for this change, districts are required to inform the community (parents, students, teachers, administrators, coaches, and other stakeholders) about the risks of sleep deprivation on teenagers "and the benefits of a later start time." Districts will also need to discuss with these stakeholders "local strategies to successfully implement the later school start times."

Who Is Responsible for or Affected by the Bill? Depending on the district's current start times, transportation routing, size, types and number of schools, local business needs, and more, this bill could affect just about everyone or no one at all. Some districts already start the day with elementary schools and transport students using three or more routes. These districts will not need to change much, if anything, to comply with the law. However, other districts with fewer transportation routes, specific local needs, or a strong community desire not to start



elementary students in a way that requires them to be outside waiting for buses in the dark may have a lot to sort out over the next three years.

Ultimately, the school board itself will need to decide how it wants to comply with the law, and then transportation departments, parents, local employers (for both parents and after-school high school employees), athletic directors, and other stakeholders will have to adjust accordingly.

How Will the Bill Be Implemented? The first step is to determine what options the district has to comply with the new requirements and assess the potential costs for each option so that they can be shared with the community. This will include transportation directors assessing busing options and needs; the potential need for new routes, buses, and drivers; before and after school supervision needs; after school program capacity and potential costs for adding time to elementary after school programs; utility costs due to changed school operation times and later athletics practices; and more. Six districts will be selected by the DOE for a survey that is likely to cover these topics, but all districts need to start planning immediately.

Next, districts will need to start engaging parents and the community about this new requirement as soon as possible. There was a lot of resistance to the idea from many different areas of the state, including both large urban and small rural districts. With a three-year implementation window, local stakeholders need to be engaged early, and their voices need to be heard whether they oppose or support this new law, which is unlikely to change between now and 2026 unless there is significant outcry from local parents and businesses about their opposition to this new law.

Districts should probably look to engage their school and district advisory committees, parent-teacher organizations, the local chamber of commerce, larger local employers, local athletic associations, and other potential stakeholders, about these new start times. This law is something the community will need time to prepare for, and any opposition to the idea needs to be raised as soon as possible, not two or three years from now. However, this community engagement needs to include discussions about why the Legislature passed this bill too (teen sleeping patterns and sleep needs); it cannot just be an effort to garner opposition.

If the law remains in place, districts need to have a plan for compliance. These plans could affect childcare issues before or after school, employment opportunities for high school students, extracurricular athletic events and practices (including missed classes later in the school day when teams need to travel to other schools in nearby counties), and transportation issues, to name a few.

It is worth noting that the Legislature set aside \$5 million to address implementation of this new law. The money was appropriated to the DOE to award grants to districts or charter schools to assist them in implementing the new start times before July 1, 2026. The DOE must also use some of the funds to survey six districts (two small, two medium, and two large districts) about the estimated costs of implementation for this new law.



<u>Required Rulemaking?</u> Districts may need to adopt or amend any relevant policies establishing school start times. They may also need to review their collective bargaining agreements in case school start times are covered in them as well.

Required Reports? N/A.

Required Training? N/A.

<u>Does the Bill Apply to Charter Schools?</u> Yes. Section 1002.33, F.S., is amended to clarify that they are not exempt from the new required start times for middle and high schools, unless it is a charter school-in-the-workplace.

What Problems or Concerns May Arise as a Result of this New Bill? The primary concern with this new law is that it was assumed that every district could just make a slight adjustment to school start times with no costs or problems. However, some districts have tried this before, and parents rejected it. Other districts do not run three routes every day and cannot simply switch elementary and high school start times to comply. In other districts, local employers may have come to rely on worker availability at certain times based on when school started. Whether it is a complete upheaval of a schedule that works well in a particular district or creating new transportation needs and requirements at a time when there is a shortage of bus drivers, long delays and higher costs for new buses, and a shrinking share of capital outlay funds to pay for them, this new law may cause many more problems locally than it aims to solve.

Finally, starting teenagers a little later in the day does not guarantee that they will get more sleep. Many of them will just stay up later with the knowledge that they can wake up later. Others will have to work and do homework later in the day, because they will have gotten out of school later too. Some may even get up early to do things that they would have done after school if it got out earlier, such as exercise or workouts for athletic teams and competitions.

Obviously, the idea behind the law is good. No one can argue about the importance of a good night's sleep, particularly for growing children and teenagers. However, this one-size-fits-all approach to force the same solution onto all districts may be much more disruptive and less impactful than simply requiring districts to engage parents and the community about the importance of adequate sleep.

<u>Creates</u>: N/A.

Amends: Sections 1001.42 and 1002.33, Florida Statutes.

Companion Bill: SB 1112 (Burgess)

Final Legislative Analysis



HB 891 (Ch. 23-66) Year-round School Pilot Program

By: Representative Williams

Effective Date: July 1, 2023
Approved by Governor: May 11, 2023

<u>What Does the Bill Do?</u> First, it should be noted that the exact same provisions in this bill were included in HB 1537 (discussed above) as well.

This law creates section 1003.07, F.S., to establish a year-round school pilot program for elementary schools that will last for four (4) years. It allows up to five districts to participate in the program, which can be implemented in one or more elementary schools within the district.

School districts can already adjust schedules to employ something of a year-round school now, and section 1011.62(1)(q), F.S., authorizes the Commissioner to "adjust student eligibility definitions, funding criteria, and reporting requirements of statutes and rules in order that year-round programs may achieve equivalent application of funding requirements with non-year-round-school programs." However, section 1001.42(4)(f), F.S., currently prohibits district schools from starting before August 10<sup>th</sup> each year. There is no required end date for the school year – just the requirement that students attend school for 180 days or the equivalent number of hours. Thus, any plans to run a longer school year encounters the problem of fixed testing windows, and a longer school year would likely result in students taking their end-of-year assessments after attending fewer days of school. It is not clear whether the DOE will adopt rules or otherwise allow these pilot districts to start school before August 10<sup>th</sup> or assess students later in the school year to avoid this problem.

The DOE will establish an application format and due date to apply for the program. The application will have to include the number of students enrolled at the school(s), the academic performance of those students, the rate of absenteeism and tardiness of those students, the "commitment" of the instructional personnel and students at the school(s) to the program, and an explanation how the year-round school will benefit the students. The Commissioner will select five districts to participate in the pilot project. To the extent possible, the districts selected should represent a variety of demographics, such as urban, suburban, and rural schools.

If selected, the year-round schools can implement either a single-track or multi-track schedule. They must collect and provide data to the DOE about any academic or safety benefits, as well as barriers to implementation, such as budgeting, parental engagement, transportation, and staff and student commitment. The schools will also need to address possible strategies for addressing these potential barriers.

At the end of the pilot period, the Commissioner will provide a report to the Governor, President of the Senate, and Speaker of the House detailing the results, including the number of students who participated throughout the 4-year pilot, any benefits or barriers identified, and a recommendation as to adopting a year-round schedule for all students.



Who Is Responsible for or Affected by the Bill? Districts that may be interested in participating in the pilot program should begin thinking about ways in which they might approach a year-round school now, which may require more staff hours, different transportation needs, and more. This may involve the entire district team, and it will require engagement by individual school personnel and parents once potential schools are identified. Interested districts will also want to participate in the rulemaking process as the DOE develops the parameters and application process for the pilot program, because it may not be worth the effort to participate in the program if it does not allow districts to do things differently than they already can.

If a district applies and is selected to participate, HR teams may need to address staffing needs, the school board may need to engage the union in collective bargaining discussions, the transportation department will need to plan for new schedules and potential staffing issues, and the curriculum department will need to help schools with scheduling. The schools themselves will also need to prepare to collect and assess the required data.

How Will the Bill Be Implemented? There are a variety of ways that a school can establish a year-round program, so implementation will depend upon what options are available for a pilot school, what requirements are established by the DOE, and what choices a district makes. Will it be single-track or multi-track? What sort of schedule will be established? Will services be offered during time off from school? Will staff have to work additional days or hours? How will transportation be addressed? Can local childcare facilities handle the off times, which are not likely to coincide with the off times of the schools following a traditional schedule?

**Required Rulemaking?** The SBE has the authority to adopt rules to administer the program.

**Required Reports?** Districts participating in the program will have reporting requirements to provide data and other information to the DOE, and the Commissioner will ultimately need to prepare a final report at the completion of the pilot program.

Required Training? N/A.

<u>Does the Bill Apply to Charter Schools?</u> No. Charter schools are exempt from complying with section 1001.42(4)(f), F.S., and can establish a year-round schedule already, including one that can start prior to August 10<sup>th</sup>.

What Problems or Concerns May Arise as a Result of this New Bill? The only real concern with this new law is that there may be a lot more than five (5) districts that wish to participate in the pilot, particularly if it allows districts to start before August 10<sup>th</sup>.

<u>Creates</u>: Section 1003.07, Florida Statutes.

Amends: N/A.

Companion Bill: SB 1564 (Stewart)

Final Legislative Analysis



# **Human Resources/Employee Relations**

CS/HB 1121 (Ch. 23-316) Florida Retirement System

By: Representatives Bartleman and Tomkow

Effective Date: July 1, 2023
Approved by Governor: June 30, 2023

What Does the Bill Do? This new law allows retirees in their first year of retirement to volunteer at school, because volunteer services will not be considered "employment" beginning July 1, 2023. The law creates a new subsection (15) in section 121.091, F.S., to establish a post-employment, volunteer services program. It permits FRS employers, including school districts, to establish such a program so that recent retirees can provide civic, charitable, and humanitarian services during their first 12 months of retirement without risking the loss of their retirement benefits.

To qualify under this new law, a district will need to establish a program where:

- 1. There is no agreement in place prior to retirement that the retiree will provide any service to the district employer.
- 2. Neither the district nor any third party can provide any form of compensation to the volunteer.
- 3. The volunteer cannot receive any employee benefits, including health and life insurance, except as allowed by law.
- 4. The volunteer can only provide 20% of the number of hours per week that he or she was expected to provide prior to retirement (i.e., if a paraprofessional worked 35 hours per week before retirement, that person could volunteer up to seven (7) hours per week in the 12 months following retirement).
- 5. There is a clear distinction between the duties of the volunteer and the duties of an employee.
- 6. The volunteer's schedule, including the number of hours and types of services, is controlled by the volunteer.
- 7. Both the volunteer and the district maintain adequate records to document compliance, and these records must be made available to the Department of Management Services (DMS) or the State Board of Administration (SBA) upon request.

Who Is Responsible for or Affected by the Bill? Recent retirees who have been prevented from volunteering in the classroom or elsewhere in the district will be more affected by this new law. However, it will be the teachers and children who benefit the most from this, as it may allow numerous recent retirees to come back and contribute.



Whoever is responsible in the district for coordinating volunteer services will need to create a program that meets the requirements of this new law, and particular emphasis should be placed on the record-keeping required of both the district and the retiree.

<u>How Will the Bill Be Implemented?</u> The district will establish a volunteer program for recent retirees that meets the criteria set forth above. In most cases, it is expected that former teachers will go to school to read to a class or mentor a student. These types of volunteer services should be easy to implement, but the key will be making sure that appropriate records are kept by both the district and the recent retiree. Districts will want to make sure that any recent retiree seeking to volunteer is advised of this law's requirements and signs an acknowledgment of all of its provisions.

**Required Rulemaking?** Districts may need to adopt policies establishing a volunteer service program that complies with this new law, including any required records and who is responsible for updating and maintaining those records.

**Required Reports?** No reports are required, but the required records must be made available to DMS or the SBA upon request.

**Required Training?** Volunteer coordinators and school administrators will need to be advised of the record-keeping requirements and restrictions on the number of hours a person can volunteer during that first year of retirement.

<u>Does the Bill Apply to Charter Schools?</u> If the charter school is a public employer and participates in the Florida Retirement System, then yes.

What Problems or Concerns May Arise as a Result of this New Bill? This is something that schools and retirees have been asking about for years. Other than making sure the proper records are kept and that the retiree does not exceed the 20% limitation, perhaps the only real concern is whether the volunteer may be considered an employee for worker's compensation or other purposes. Section 440.02(15)(d)6., F.S., says that volunteers are not employees covered by the employer's worker's compensation unless they are a volunteer worker for the state, county, municipality, or other governmental entity, which includes school districts. Ultimately, the new law says that benefits cannot be provided "except as otherwise provided by law." Thus, districts that have been covering volunteers with worker's compensation coverage pursuant to section 440.02(15)(d)6., F.S., should be able to continue to do so.<sup>2</sup>

Creates: N/A.

<u>Amends</u>: Sections 121.021 and 121.091, Florida Statutes.

Companion Bill: CS/SB 1156 (Burton)

Final Legislative Analysis

<sup>&</sup>lt;sup>2</sup> Sections 110.501 - .504, F.S., provide that volunteers for state agencies are covered by worker's compensation, but those sections don't apply to school districts.



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<u>CS/CS/SB 256 (Ch. 23-35)</u> Employee Organizations Representing Public

**Employees** 

By: Senator Ingoglia

Effective Date: October 1, 2023 (registration requirements, 60%)

July 1, 2023 (dues deduction)

May 9, 2023 (all other provisions)

Approved by Governor: May 9, 2023

What Does the Bill Do? This new law is directed at public employee unions, except for those who represent law enforcement officers, firefighters, correctional officers, or correctional probation officers. First, it requires union membership forms, beginning July 1, 2023, to include certain information about the union, the employee, and the fees that will be paid for dues. The form must also contain a specific statement, in 14-point type, about Florida being a right to work state. Further, employees must be able to revoke their membership at any time without providing a reason for doing so. The Florida Public Employee Relations Commission (PERC) is authorized to adopt rules to implement these new requirements, which it began doing in May with the proposal of a new Rule 60CC-1.101, F.A.C.

Next, this new law prohibits public employee unions, except those listed above, from having their dues collected by the employer through payroll deductions. Instead, public employees need to pay their dues directly to the union themselves.

This new law also requires public employee unions to undergo an annual financial audit, certified by an independent certified public accountant, rather than simply create and maintain an annual financial statement as has been required. This annual audited report must also be provided to members every year, along with a notice of the annual costs of membership. Furthermore, the union must maintain and annually submit as part of any renewal request on or after October 1, 2023:

- 1. The number of employees in the bargaining unit eligible for representation.
- 2. The number of employees who have joined but not revoked their membership in the union.
- 3. The number of employees who have paid dues.
- 4. The number of employees in the bargaining unit who did not pay dues.
- 5. Documentation verifying the above information, verified by a CPA.

The union must provide a copy of its renewal application to the employer on the same day, and any failure to include all of the required information will result in PERC dismissing the application for renewal.

Next, the law now requires that any public employee union that had less than 60% of the eligible members pay dues during the previous registration period must petition for recertification within one month of its renewal application. If it fails to do so, its certification as the exclusive bargaining agent is revoked. In addition, the law now gives PERC investigative



authority to confirm the validity of information submitted by the union. It can also revoke certification for failure to cooperate with an investigation or for materially misrepresenting information. The public employer (e.g., district) or any bargaining unit member can also challenge a renewal application if it is believed to be inaccurate. If PERC finds that it was inaccurate, it will revoke the union's certification.

Finally, this law prohibits public employee unions from offering anything of value to a public officer, which would violate gift law restrictions from section 112.313(2), F.S., (i.e., gift in exchange for vote or favorable action). It also prohibits offering any compensation or thing of value that would violate section 112.313(4), F.S., (i.e., cash bribe).

Who Is Responsible for or Affected by the Bill? At the district level, responsibility under this new law will fall on the payroll department, which will need to make sure that union dues deductions are stopped after June 30, 2023. Then, depending on the strength of the local union and its ability to get 60% of the bargaining unit to pay dues directly, there may be a lot more union activity at school sites and elsewhere in the district if the union will have to seek recertification every year. This may affect principals and site administrators who need to conduct business without giving time at every meeting to the union but also do not want to risk being accused of committing an unfair labor practice.

<u>How Will the Bill Be Implemented?</u> Initially, districts just need to make sure that no union dues are deducted from paychecks issued after June 30, 2023, unless the district has a law enforcement union, in which case the practice may continue for those employees. Beyond that, it will be up to districts to decide whether they will challenge any renewal application, if they believe it is not accurate, and prepare for the possibility that one or more of their employee unions will lose its certification. Most of the burdens of this new law fall on the union and PERC.

**Required Rulemaking?** PERC has already started the rule adoption process for the required membership form, and it has indicated that it will be looking at other possible rules over the summer.

Required Reports? N/A.

Required Training? N/A.

<u>Does the Bill Apply to Charter Schools?</u> Maybe. Charter schools are public schools, but most charter schools are run by private employers. However, if the charter school is a public employer and has members represented by a union, this law would apply to them as well. Otherwise, the laws for private employers would apply.

What Problems or Concerns May Arise as a Result of this New Bill? The only real concern for school districts with his law is the amount of energy that may be exerted locally to preserve or recertify the union rather than be directed to the classroom and other tasks that directly benefit the students. For the most part, districts will want to steer clear, wait to see how these new provisions will play out, and avoid any accusations of unfair labor practices. As unions



scramble to get or maintain 60% or more dues-paying members, the district may get portrayed as the villain against whom employees cannot stand without the support of the local union.

<u>Creates</u>: N/A.

<u>Amends</u>: Sections 447.301, 447.303, 447.305, 447.509, Florida Statutes.

Companion Bill: CS/HB 1445 (Black)

Final Legislative Analysis

CS/CS/HB 897 (Ch. 23-212) Group Health Plans

By: Representative Fernandez-Barquin

Effective Date: Upon Becoming Law

Approved by Governor: June 9, 2023

What Does the Bill Do? This law amends section 624.438, F.S., which governs multiple-employer welfare arrangements (MEWA) or association health plans (AHP). These are arrangements where multiple employers with a common interest join to create a larger group for employee benefits. For example, most of the state's independent colleges and universities provide employee benefits through a MEWA called the Independent Colleges and Universities Benefits Association (ICUBA).

Federal rules that attempted to make it easier for employers to participate in a MEWA were overturned in federal court in 2019, and this new law seeks to incorporate those stricken provisions in law so that Florida employers will have greater access to becoming part of a MEWA.

Who Is Responsible for or Affected by the Bill? If a district is interested in the possibility of forming a MEWA with other school districts, responsibility is likely to fall on the HR department or whoever oversees the employee benefits program. If a district forms or joins a MEWA, someone will have to serve as the district's representative in the association as well.

<u>How Will the Bill Be Implemented?</u> There is nothing that districts need to do as a result of this law, but those districts who have experienced increasing health insurance costs may wish to explore the option of forming a MEWA like ICUBA.

Required Rulemaking? N/A.

Required Reports? N/A.

**Required Training?** N/A.

<u>Does the Bill Apply to Charter Schools?</u> Yes, in that charter schools could presumably form

or take part in a MEWA as well.



What Problems or Concerns May Arise as a Result of this New Bill? The only real concern with a MEWA is that a district will lose some control over its employee benefits program because each member employer will have a say about what benefits are offered to all the member employers.

<u>Creates</u>: N/A.

<u>Amends</u>: Section 624.438, Florida Statutes.

Companion Bill: CS/SB 940 (Calatayud)

Final Legislative Analysis

# **Technology**

SB 662 (Ch. 23-170) Student Online Personal Information Protection

By: Senator Bradley

Effective Date: July 1, 2023
Approved by Governor: May 31, 2023

What Does the Bill Do? This new law creates the Student Online Personal Information Protection Act in newly created section 1006.1494, F.S. The Act prohibits online services (website, online applications, mobile applications, etc.) from:

- 1. Engaging in targeted advertising if the advertising is based on information acquired through the student's use of that service for K-12 school purposes.
- 2. Using personal identifying information (PII) of a student collected by these services for anything other than furthering K-12 school purposes.
- 3. Sharing, renting, or selling student information.
- 4. Disclosing PII to anyone other than in furtherance of the K-12 purpose of the service, as required by state or federal law, to comply with a court order, for safety reasons, or in response to a request from the parent.

These online service operators are required to:

- 1. Collect no more PII than reasonably necessary to serve the K-12 purposes.
- 2. Implement security procedures to protect from unauthorized access and disclosure.
- 3. Delete the PII within 90 days after a student is no longer enrolled, unless the parent consents to the retention.

Nothing in the Act prohibits online service providers from using student information to improve their educational products or, as long as the information is de-identified, demonstrate the effectiveness of the product. Furthermore, this is limited to providers of K-12 services, not all internet sites. A violation of the Act is considered a violation of the Florida Deceptive and



Unfair Trade Practices Act, part II of chapter 501, but only the Department of Legal Affairs can bring an enforcement action.

Who Is Responsible for or Affected by the Bill? District IT departments will want to make sure that any online products the district offers students are compliant with this new law. If a student is no longer enrolled in the district, the online provider's 90-day clock for deleting the student information starts when the district notifies the provider.

<u>How Will the Bill Be Implemented?</u> Contracts with online education service providers should include reference to this Act, as well as the providers agreement to comply with it. There should also be a process for notifying contracted service providers when a student withdraws from the district so that they can delete the student information within 90 days.

**Required Rulemaking?** The SBE is authorized to adopt rules to implement the Act.

Required Reports? N/A.

Required Training? N/A.

<u>Does the Bill Apply to Charter Schools?</u> Yes, in that the law is directed at online education service providers, regardless of how they are engaging K-12 students. It is not limited to education services provided pursuant to an agreement with a school district.

What Problems or Concerns May Arise as a Result of this New Bill? While responsibility for compliance falls on the online providers, districts are going to need to expend resources to make sure service providers offered through the district are compliant with the law. Also, to the extent that some of these education providers' current pricing may be based on practices that are now prohibited, districts may see increased costs associated with these online resources.

<u>Creates</u>: Section 1006.1494, Florida Statutes.

Amends: N/A.

Companion Bill: CS/HB 699 (Koster)

Final Legislative Analysis

CS/CS/SB 258 (Ch. 23-32) Prohibited Applications on Government-issued

**Devices** 

By: Senator Burgess

Effective Date: July 1, 2023
Approved by Governor: May 8, 2023

<u>What Does the Bill Do?</u> This law creates section 112.22, F.S., which addresses prohibited applications on government-issued devices. Prohibited applications are those that come from a



"foreign principal" from a "foreign country of concern," such as China, Russia, Iran, North Korea, and Cuba. If the application is created, maintained, or owned by a foreign principal and collects keystrokes or other sensitive data; acts as a vector for ransomware deployment; conducts cyber-espionage; conducts surveillance and tracking of individual users; or uses algorithms to conduct disinformation or misinformation campaigns, DMS is required to add it to the list of prohibited applications. DMS must also prohibit any internet application it deems as a security risk due to unauthorized access to or temporary blocking of public employer records, networks, servers, and other information.

The Department of Management Services (DMS) will compile and maintain a list of prohibited applications, which will be updated quarterly. Public employees will have 15 days to delete and uninstall any prohibited applications after they are added to the list. DMS will also be responsible for granting any waivers requested should a public employer believe it necessary to use one of these applications.

The law requires public employers, which includes school districts and charter school governing boards, to:

- 1. Block all prohibited applications from public access on any network operated by the employer;
- 2. Restrict access to any prohibited application on a government-issued device; and
- 3. Retain the ability to wipe and uninstall remotely any prohibited application.

Individual public employees are similarly prohibited from downloading or accessing any prohibited application on any government-issued device, except that this does not apply to law enforcement officers if it is necessary to protect public safety or conduct an investigation. Public employers may request a waiver from DMS to allow designated employees to download or access a prohibited application.

Who Is Responsible for or Affected by the Bill? While DMS is responsible for updating and maintaining the list of prohibited applications, district IT personnel will be responsible for ensuring that the prohibited applications are inaccessible on all district-issued devices and through all district networks. They will also need to ensure that all district-issued devices can be accessed remotely to wipe and uninstall the prohibited application. Furthermore, all district employees, as well as students, will need to be made aware of the prohibited applications, and they will need to make sure they do not download or access any prohibited application and uninstall any they may have once they have been added to the list. The law prohibits any person from downloading or accessing a prohibited application on any government-issued device, but the law only directs public employees to remove the application within 15 days. Thus, districts may need to be prepared to access and remove any such applications from district-issued devices provided to students.

Due to the number of code of conduct violations that occur online and through social media applications, schools may find it difficult to investigate potential violations or threats if they occurred on a prohibited application. Districts will need to plan for this without requiring staff to use personal devices to investigate.



DMS will update and maintain the list quarterly. Districts will need to be aware of the updated list and disseminate the information as quickly as possible so that all prohibited applications can be removed within 15 days. Prior to the distribution of the first list by the end of July, 2023, districts will also need to assess the capability of all district-issued devices to be accessed remotely so that they can remotely wipe and uninstall applications. If a district-issued device is not capable of this, it will need to be retired from use.

Because of the prevalent use of many social media applications, including Tik Tok, by students, districts may find it difficult to monitor some activity or conduct investigations without access to certain applications. Thus, it will be important to determine the waiver process and consider requesting from DMS that a few key personnel receive a waiver for these purposes. Local law enforcement probably does not have the capacity to investigate every allegation of cyberbullying or potential threat that might be posted to Tik Tok or another application likely to be on the list. Key personnel may include the district's school safety specialist, student services personnel who can work with deans and assistant principals conducting investigations, and certain IT personnel.

**Required Rulemaking?** DMS is required to adopt any necessary rules to implement this new law and has emergency rulemaking power to establish the first list of prohibited applications within 30 days after July 1, 2023.

Districts will most likely need to update their policies covering use of technology and districtissued devices, employee conduct, and perhaps even the student codes of conduct. Districts may also wish to adopt a policy covering any employee who may be granted a waiver.

Required Reports? N/A.

<u>Required Training?</u> Employees will need to be made aware of this new law and how information will be disseminated when the list of prohibited applications is published and updated. They also may need to receive training on uninstalling applications from devices.

<u>Does the Bill Apply to Charter Schools?</u> Yes. The law specifically provides that charter school governing boards are a "public employer" under this law.

What Problems or Concerns May Arise as a Result of this New Bill? There may be some difficulties in ensuring that people cannot access prohibited applications from district-owned devices or through district-managed networks, as it may be possible to access some applications from a variety of sources and application names may be altered to try to escape being blocked. Significant staff time and resources may be required to comply with the law. Also, some older or less-expensive devices issued to students may not have the ability to be accessed remotely by district personnel. If so, districts may need to retire devices and replace them, which could be a costly endeavor depending on the number of such devices. Also, depending on remote access options, both students and employees may need to regularly turn in their devices so that application-blocking software can be installed or updated.

**Creates**: Section 112.22, Florida Statutes.



Amends: N/A.

<u>CS/CS/HB 563 (Amesty)</u>

Final Legislative Analysis

**School Safety** 

CS/CS/HB 301 (Ch. 23-99) Emergency Response Mapping Data

By: Representative Alvarez

Effective Date: July 1, 2023
Approved by Governor: May 17, 2023

What Does the Bill Do? This new law creates the School Mapping Data Grant Program within the DOE. The Legislature has appropriated \$14 million to allow districts, in consultation with local law enforcement agencies, to request funds to produce emergency response mapping data for all of its schools, including charters. The maps must be created in an electronic or digital format and be able to assist first responders when answering emergencies at the school and conducting active assailant drills.

If a district elects to procure grant funds to create these maps, the mapping data must:

- 1. Be compatible with local law enforcement and public safety agency software platforms;
- 2. Be compatible with security software used by the school;
- 3. Be in a printable format and, if requested, be in a digital format that can be integrated into interactive mobile platforms;
- 4. Be verified for accuracy;
- 5. Be oriented true north;
- 6. Be overlaid on current aerial imagery;
- 7. Contain site-specific labels for school structures, such as room labels, hallway names, external door numbers, location of AED's and trauma kits, location of hazards, etc.;
- 8. Contain site-specific labels for school grounds, such as parking areas and athletic fields; and
- 9. Be overlaid with gridded x and y coordinates.

<u>Who Is Responsible for or Affected by the Bill?</u> If a district elects to pursue grant funding to generate these maps, it will most likely be coordinated through the district's school safety specialist.

<u>How Will the Bill Be Implemented?</u> The DOE should create and disseminate the grant application requirements. Districts pursuing grant funds will coordinate with local law enforcement agencies to determine local needs so that the generated maps comply with the law's requirements.



Required Rulemaking? N/A.

Required Reports? N/A.

<u>Required Training?</u> School administrators and safe schools officers will probably need to be trained on use of the new maps, as first responders will almost certainly be using them if they answer an emergency on campus.

<u>Does the Bill Apply to Charter Schools?</u> Yes. Districts seeking grant funds will need to apply to generate maps at all public schools in the district, including charter schools.

What Problems or Concerns May Arise as a Result of this New Bill? N/A.

<u>Creates</u>: N/A.

<u>Amends</u>: Section 1013.13, Florida Statutes.

Companion Bill: CS/SB 212 (Collins)

Final Legislative Analysis

CS/HB 543 (Ch. 23-18) Public Safety

By: Representatives Brannan and Payne

Effective Date: July 1, 2023 Approved by Governor: April 3, 2023

What Does the Bill Do? This law focuses both on authorizing people to carry concealed weapons without a permit and school safety. Focusing solely on the school safety aspects of the bill, it authorizes private schools to establish or assign safe school officers with the same statutory rights and obligations as those assigned to public schools. It also amends the powers and duties of the Office of Safe Schools and changes the focus of threats from threat assessment to threat management.

The law directs the Office of Safe Schools to "[d]evelop a statewide behavioral threat management operational process, a Florida-specific behavioral threat assessment instrument, and a threat management portal." The operational process must developed by December 1, 2023. It will help schools "identify, assess, manage, and monitor potential and real threats to schools." It will do this by clearly establishing the responsibilities of threat management teams, defining behavioral risks, establishing a Florida-specific instrument to evaluate student behavior to determine if there is a threat and what services are needed, providing guidelines for when law enforcement intervention is necessary, providing guidelines for the continued monitoring of threats, and more. The Florida-specific threat assessment instrument must be developed by August 1, 2023. Schools will be required to use this instrument once it has been developed and made available, and its use will be outlined in the operational process developed by December 1, 2023. Finally, by August 1, 2025, the Office of Safe Schools must have a statewide threat management portal operational, which all public schools will be required to use. The law also



gives the SBE emergency rulemaking power to implement these changes to section 1001.212, F.S. The SBE adopted Emergency Rule 6AER23-02 on May 24, 2023, which requires each superintendent to designate a Threat Management Coordinator for all public schools in the district (district-run and charters sponsored by the district). The Threat Management Coordinator must be part of the district's threat management team and will serve as a liaison to the Office of Safe Schools. The name, phone number, and email address of the Threat Management Coordinator must be sent to the Office of Safe Schools by July 1, 2023.

In addition, this new law amends section 1006.07, F.S., to change most references from threat assessment to threat management. It also repeats that all threat management teams must comply with the threat management operational process that the Office of Safe School will adopt. It will also be required that threat management teams include at least one person who is familiar with the subject of the threat assessment. If no one on the team is familiar with the student, at least one instructional or administrative person who is familiar must consult with the team before the assessment is made, but that person will not participate in the decision-making process.

Next, the law addresses School Environment Safety Incident Reporting (SESIR). It clarifies that that SBE's SESIR rules must include requirements for incidents that need to be reported to law enforcement. It then gives the SBE emergency rulemaking authority to adopt SESIR reporting rules for the 2023-24 school year. The SBE adopted <a href="Emergency Rule 6AER23-01"><u>Emergency Rule 6AER23-01</u></a> to implement this provision on April 19, 2023.

Also, the law creates the Florida Safe Schools Canine Program. This tasks the Office of Safe Schools with administering the program where a law enforcement agency may place firearm detection dogs in school communities if it receives a donation for the training and ongoing care and expenses associated with a firearm detection canine.

Finally, the law directs all law enforcement to have an active assailant response policy in place by October 1, 2023, after first reviewing MSD Commission's model active assailant response policy.

Who Is Responsible for or Affected by the Bill? First and foremost, responsibility for these changes will fall primarily on the district's school safety specialist to make sure that the new requirements for threat management teams are implemented. Then, responsibility for compliance with the new operational procedures, threat assessment and management tools, and eventually the portal will fall on the school-based threat management teams.

How Will the Bill Be Implemented? The SBE has already begun implementation with the adoption of the emergency rules for SESIR and the designation of a Threat Management Coordinator. The Office of Safe Schools is required to provide training on its new forms and operational procedures. Districts will want to look for opportunities to work with the Office of Safe Schools as these are developed and then participate in any training opportunities provided by them. At the district level, the law will be implemented primarily through updating and training threat management teams on the new requirements, as well as training all student



services personnel (e.g., deans, assistant principals, district administrators, etc.) about the new SESIR reporting requirements adopted in Emergency Rule 6AER23-01.

Required Rulemaking? The SBE is directed to adopt rules regarding access to the statewide threat management portal, including who can have access or grant access to others. It was also granted emergency rulemaking authority to allow the Office of Safe Schools to implement these changes. The SBE was also granted emergency rulemaking authority to adopt rules for SESIR incidents and which incidents must be reported to law enforcement. As noted above, the SBE adopted a rule under this provision on April 19, 2023. Finally, the SBE is directed to adopt rules for the implementation of the Florida Safe Schools Canine Program.

To the extent that districts may have policies in place for the composition or actions of school and district threat assessment teams, they may need to amend those policies to address some of these changes, including the change in emphasis from assessment to management. Also, districts with their own law enforcement units may need to adopt or amend their active assailant response policy by October 1, 2023.

<u>Required Reports?</u> Aside from the new threat assessment and management reports that will be created in response to each threat, the law does not require the district to create any new reports not already required by law.

**Required Training?** The Office of Safe Schools is required to train schools, districts, and charters about the new threat assessment instrument and threat management operational process.

<u>Does the Bill Apply to Charter Schools?</u> Yes. Charter schools must comply with most of the school safety laws, including the threat assessment and management process.

What Problems or Concerns May Arise as a Result of this New Bill? With private schools being able to contract with local law enforcement agencies to provide safe school officers, there could be an issue in some districts where the Sheriff and other law enforcement agencies do not have enough deputies or officers to place at all of the schools. This may result in an increased cost for districts if local private schools offer to pay more to have a deputy or officer assigned to their schools. Alternatively, it will require districts to look to one of the other options for safe school officers to maintain compliance with the law.

<u>Creates</u>: Sections 943.6873, 1006.121, Florida Statutes.

<u>Amends</u>: Sections 30.15, 1001.212, 1002.42, 1003.25, 1006.07, 1006.12, 1006.13,

Florida Statutes.

Companion Bill: CS/SB 150 (Collins)

Final Legislative Analysis



<u>CS/CS/SB 766 (Ch. 23-171)</u> Enforcement of School Bus Passing Infractions

By: Senator Burgess

Effective Date: July 1, 2023
Approved by Governor: May 31, 2023

What Does the Bill Do? This new law allows school districts to enter into agreements with private vendors or manufacturers to install school bus infraction detections systems on school buses. The law creates a new section of law, section 316.173, F.S., governing this process. These infraction systems require two or more camera sensors or computers that produce a recorded video and two or more film or digital photographic still images for documenting when a vehicle violates the law prohibiting it from passing a bus when its stop arm is out. The cameras cannot be used for other purposes, and they cannot be capable of remote surveillance. Also, they must, to the extent practicable, avoid capturing personal identifying information, such as the identity of the driver and any passengers, the interior contents of the vehicle, and more. The district must destroy the recorded video and generated images within 90 days after final disposition, and the vendor must notify the district each year by December 31st that such records have been destroyed.

If a school district elects to install these infraction detection systems, the decision "must be based solely on the need to increase public safety." No one may receive a commission, and the vendor or manufacturer cannot receive a fee or other remuneration based on the number of violations the system detects. Before these systems can be implemented, the district will need to enter into an interlocal agreement with at least one local law enforcement agency that is authorized to enforce traffic laws concerning school buses. The agreement must include provisions about responsibility for enforcement and the reimbursement of costs associated with the system. Furthermore, the decision to implement an infraction detection system does not prevent law enforcement officers from enforcing the law independently.

There are also signage requirements for districts seeking to install these systems. On the back of each bus, there must be a sign or signs that say something akin to "STOP WHEN RED LIGHTS FLASH" and "CAMERA ENFORCED," as well as an image of a camera. Districts initiating this program must also make public announcements and conduct a public awareness campaign at least 30 days prior to when enforcement begins, but warnings can still be issued during this 30-day campaign.

Once operational, districts are required to submit within 30 days a copy of the video and images, along with the license plate state and number, and the time, date, and place of the violation. Law enforcement then has 30 days to review the information and issue a civil citation for \$200. The civil penalties for the violation are paid to the school district, which then must use the proceeds for the installation and maintenance of the detection systems, for the administration and costs associated with enforcement, or for other technology that increases the safety of transporting students. If the owner of the vehicle (or other person responsible) does not pay the civil penalty within 30 days, law enforcement is required to issue a uniform traffic citation for \$225 (\$200 civil penalty, \$25 uniform traffic citation penalty). A driver who



passes a stopped bus will not be assessed any points against their driver's license, and violations captured by an infraction detection system cannot be used to adjust insurance rates.

Who Is Responsible for or Affected by the Bill? If a district elects to install infraction detection systems on its buses, primary responsibility will fall on the transportation and technology departments for the installation and maintenance of the systems, appropriate signage on the buses, and interaction with local law enforcement. The finance department will also be involved as civil penalties are remitted to the district.

How Will the Bill Be Implemented? If a district decides to install detection systems on its buses, it will need to procure a vendor for detection systems capable of meeting all the statutory requirements, enter into an interlocal agreement with a local law enforcement agency, and begin a public information campaign.

Required Rulemaking? The SBE will establish specifications for the school bus infraction detection systems, which must be tested at regular intervals as established in SBE rules to be adopted by December 31, 2023. If districts purchase or obtain equipment prior to the adoption of that rule, it is not required to bring the new equipment into compliance with the specifications established in the rule until July 1, 2024. The SBE also has the authority to adopt rules regarding student privacy that may arise as a result of these detection systems.

Required Reports? Beginning October 1, 2023, districts employing these infraction detection systems need to issue a quarterly report, in consultation with law enforcement, to the Department of Highway Safety and Motor Vehicles (DHSMV). The information and format required for these quarterly reports will be established by the DHSMV and must be available to districts by August 1, 2023. The reports must include at least the number of buses with detection systems, date of installation or removal of the system, the number of violation notices issued (and the details of their resolution), information about the locations of the infractions to help identify areas in need of safety improvements, and other statistical data and information DHSMV might require.

Beginning December 31, 2024, and then annually thereafter, DHSMV must submit a summary report to the Governor, Senate President, and Speaker of the House about these infraction detection systems, including any recommended legislation.

Required Training? N/A.

<u>Does the Bill Apply to Charter Schools?</u> No. The law refers only to school districts. However, it is still a violation of law to pass a charter school bus with its stop arm extended.

What Problems or Concerns May Arise as a Result of this New Bill? N/A.

**Creates**: Section 316.173, Florida Statutes.

<u>Amends</u>: Sections 316.003, 318.14, 318.18, 322.27, 1006.21, Florida Statutes.

Companion Bill: CS/CS/HB 741 (Michael & Steele)

Final Legislative Analysis



CS/CS/HB 657 (Ch. 23-174) Enforcement of School Zone Speed Limits

By: Representative Koster

Effective Date: July 1, 2023
Approved by Governor: May 31, 2023

What Does the Bill Do? This new law authorizes counties and municipalities to install speed detection systems using radar or LiDAR to capture a photograph or video of a vehicle exceeding the speed limit in a school zone by at least 10 mph. These would work similarly to red-light cameras, and implementation by counties and municipalities would be akin to the requirements imposed on districts for the school bus infraction detection systems in SB 766 (above). From the proceeds of the citation payments, \$12 from each payment must be remitted to the school district, which then must use the proceeds "for school security initiatives, for student transportation, or to improve the safety of student walking conditions." These funds also must be shared proportionately with charter schools based on the district's total unweighted FTE enrollment. The charter schools must also use the funds for school security initiatives or to improve the safety of student walking conditions. Also, \$5 from the citation payment must be remitted to the county or municipality for the new School Crossing Guard Recruitment and Retention Program created in this law. That program will allow the local law enforcement agency to provide stipends to crossing guards at K-12 public schools.

Who Is Responsible for or Affected by the Bill? The finance department will need to be prepared to start receiving \$12 remittances if any local governments implement these systems to enforce the speed limits in school zones. Then, those proceeds need to be spent as directed.

**How Will the Bill Be Implemented?** Responsibility for implementation is on the counties and municipalities. However, if implemented, districts will have a potential source of revenue for school security upgrades, for improvements to walking conditions, or to make up for the underfunded Transportation Allocation.

Required Rulemaking? N/A.

Required Reports? N/A.

Required Training? N/A.

<u>Does the Bill Apply to Charter Schools?</u> Yes. Charter schools are entitled to receive a proportionate share of the proceeds and must then use those funds for school security or improving walking conditions.

What Problems or Concerns May Arise as a Result of this New Bill? N/A.

**Creates**: Sections 316.1894, 316.1896

**Amends**: Sections 316.003, 316.008, 316.0776, 316.1906, 318.18, 322.27



<u>CS/CS/CS/SB 588 (Rodriguez)</u>

Final Legislative Analysis

### **Athletics**

CS/SB 190 (Ch. 23-113) Interscholastic Extracurricular Activities

By: Senator Grall Effective Date: July 1, 2023 Approved by Governor: May 24, 2023

What Does the Bill Do? This new law will allow charter school and full-time Florida Virtual School (FLVS) students to enter into an agreement with a private school to participate in extracurricular activities at that school. As with a charter student's ability to participate at a district school, this only applies if the charter school does not offer the activity itself. These provisions and much more area also enacted in HB 225, which is discussed below.

Who Is Responsible for or Affected by the Bill? This new law only affects students attending charter schools or FLVS.

<u>How Will the Bill Be Implemented?</u> If a private school is willing to enter into such an agreement, it will be up to the parents of charter and FLVS students to work out an agreement with the school.

Required Rulemaking? N/A.

Required Reports? N/A.

Required Training? N/A.

<u>Does the Bill Apply to Charter Schools?</u> Yes. Charter school students will now be able to enter into an agreement with a private school to participate in extracurricular activities.

What Problems or Concerns May Arise as a Result of this New Bill? While this may allow a private school a competitive advantage if it chooses to allow charter or FLVS students to play for the school, it should not cause any operational issues for school districts.

<u>Creates</u>: N/A.

Amends: Sections 1002.20, 1002.33, and 1006.15, Florida Statutes.

CS/HB 259 (Brackett)

Final Legislative Analysis



CS/HB 225 (Ch. 23-97) Interscholastic Athletics

By: Representatives Hawkins and Canady

Effective Date: July 1, 2023
Approved by Governor: May 17, 2023

What Does the Bill Do? This new law enacts several significant changes to the Florida High School Athletics Association (FHSAA). First, it includes the same provisions enacted in SB 190 (above), in which charter and virtual school students are authorized to enter into agreements with private schools for extracurricular activities. Unlike SB 190, this law also authorizes public school students who attend a school that does not offer an activity to participate in that activity at any other public school in the district or reach an agreement with a private school to play there. These public school students must meet the same requirements for the other students who participate at that school and must first register with the school their intent to play there. If the school requires a student to participate in certain curricular activities to participate in an extracurricular activity, then the school must allow the student to do so.

With respect to public school students, the law also requires that any student who participates at a public school but transfers away from that school during the school year be allowed to continue to participate at the old school for the remainder of the year. The parents would be responsible for transportation to and from the school at which the student continues to participate, and neither the current school, the school where the student continues to participate, nor the school board can be held liable for anything related to this transportation.

Next, following years of litigation over the issue, the law creates a new statute requiring the FHSAA and any other authorized athletic association to adopt bylaws, policies, or procedures to allow each school participating in a high school championship contest to make up to two (2) minutes of opening remarks over the public address system, if requested. The FHSAA may not control, monitor, or review those remarks or control the school's choice of speaker. However, the comments cannot be derogatory, rude, or threatening, and there must first be an announcement that the opening remarks are not endorsed by or otherwise reflect the views of the FHSAA. As for regular season contests, the decision to allow opening remarks is up to each school.

Finally, the most significant aspect of this new law is a comprehensive overhaul of the FHSAA governance structure. First, there will now be significant oversight and control by the Commissioner and SBE. For example, the Commissioner can "direct the FHSAA to revise its bylaws at any time." Also, any changes to the bylaws, whether directed by the Commissioner or not, must be ratified by the SBE and may not take effect until ratified. The same is also true for the hiring of an Executive Director and adoption of the budget. Next, both the legislative and executive powers of the FHSAA will be vested in the Board of Directors, which will now consist of only 13 members, eight (8) of whom will be appointed by the Governor and confirmed by the Senate. There will be two (2) public school representatives selected by the public schools in the FHSAA, and then there will be two (2) nonpublic school members appointed by the nonpublic school members of the FHSAA. The Commissioner or designee



from the DOE will be the fifth member not appointed by the Governor. Among the Governor's appointees will be one superintendent and one school board member.

Going forward, the representative assembly of the FHSAA will now only be able to make legislative recommendations to the Board of Directors and make recommendations to adopt, reject, or revise any proposed amendments made by individual member schools, an advisory committee, the Commissioner, or the Executive Director.

<u>Who Is Responsible for or Affected by the Bill?</u> The district's and individual school athletic directors will need to be aware of these changes.

<u>How Will the Bill Be Implemented?</u> At the district level, there is not much to implement. Districts may need to review their eligibility policies and advise each FHSAA-participating school about some of these changes.

<u>Required Rulemaking?</u> Districts with policies addressing athletic eligibility may need to update policies, such as allowing a student to continue to participate at a school for the remainder of the year even if he or she transfers out of the school during the year.

Required Reports? N/A.

Required Training? N/A.

<u>Does the Bill Apply to Charter Schools?</u> Yes. There are specific provisions that apply to charter school students, and all schools who are members of the FHSAA are affected.

What Problems or Concerns May Arise as a Result of this New Bill? There will be some concerns about the reduced representation of member schools and the loss of authority for those schools. The vast majority of FHSAA members are public schools, but they will now be able to select only two representatives to the Board of Directors.

**Creates**: Section 1006.185, Florida Statutes.

<u>Amends</u>: Sections 1002.20, 1002.33, 1006.15, 1006.20, Florida Statutes.

Companion Bill: CS/CS/SB 308 (Collins)



# LGBTQ Issues

**CS/CS/HB 1069 (Ch. 23-105)** Education

By: Representatives McClain and Anderson

Effective Date: July 1, 2023
Approved by Governor: May 17, 2023

What Does the Bill Do? This new law expands upon last year's HB 1467 (books) and HB 1557 (classroom instruction). It addresses the process for removing books from schools, classroom instruction on sexual orientation and gender identity, sex and health education, and the use of pronouns.

# Sex and Pronouns

First, as with several other bills passed this year, the Legislature defines sex to be male or female based on a person's biological sex and reproductive role at birth. Next, the law establishes that "[i]t shall be the policy of every public K-12 educational institution that is provided or authorized by the Constitution and laws of Florida that a person's sex is an immutable biological trait and that it is false to ascribe a person a pronoun that does not correspond to such person's sex." The only exception is for people with a specific genetic or biochemical disorder. No student or employee of a public school can be required to use someone's preferred pronouns if they do not correspond to that person's sex. Further, school employees cannot tell a student their preferred pronouns if they do not match the person's sex, nor can a school employee ask a student to provide his or her preferred pronouns or discipline a student for failing to do so.

#### <u>Classroom Instruction</u>

With respect to HB 1557 from last year, which amended school board duties and responsibilities in section 1001.42, F.S., this new law expands the prohibition against classroom instruction on sexual orientation and gender identity from K-3 to PreK - 8. Any instruction in grades 9-12 must be age- or developmentally appropriate.<sup>3</sup> Finally, the new law adds a requirement that districts post on their websites the policies they have adopted for parental notification of the procedures required in this subparagraph of section 1001.42(8)(c), F.S.

#### Sex Education

The law also addresses required health education. First, it amends section 1003.42, F.S., to remove all local school board authority over the curriculum and materials to teach about reproductive health and sexually transmitted diseases. Instead, all materials used to teach

<sup>&</sup>lt;sup>3</sup> It should be noted that the SBE amended Rule 6A-10.081 recently to provide that Florida educators "[s]hall not intentionally provide classroom instruction to students in grades 4 through 12 on sexual orientation or gender identity unless such instruction is either expressly required by state academic standards as adopted in Rule 6A-1.09401, F.A.C., or is part of a reproductive health course or health lesson for which a student's parent has the option to have his or her student not attend."



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these topics now "must be approved by the [DOE]." Also, section 1003.46, F.S., is amended to require that schools must classify males and females as defined by this new law "and teach that biological males impregnate biological females by fertilizing the female egg with male sperm; that the female then gestates the offspring; and that these reproductive roles are binary, stable, and unchangeable." Once again, the law adds that the DOE must approve any materials used for this instruction. It is not clear whether the DOE will review and adopt an approved list of materials from which districts can choose or if districts will pick their own materials and then submit them to the DOE for approval.

# **Books and Instructional Materials**

Finally, this new law also amends section 1006.28, F.S., and its provisions related to books and other materials available at the school and book challenges. First, it codifies the DOE's interpretation (Rule 6A-7.0715, F.A.C.) that references to materials available in school libraries includes individual classroom libraries. Next, it adds that the objection form for parents or county residents must be a standardized form adopted by SBE rule. Also, the district's process for challenging books "must be easy to read and understand and be easily accessible on the homepage of the school district's website." The objection form must also identify the district's point of contact and contact information for submitting an objection. Further, school boards must adopt and publish on their websites "the process for a parent to limit his or her student's access to materials in the school or classroom library," and school principals are responsible for notifying parents of the procedures for contesting the adoption and use of instructional materials as well as the process for objecting to the use of specific materials.

The current law allows for an objection if a book is pornographic, is not suited to student needs and comprehension ability, or is inappropriate for a particular grade level or age group. The new law adds a fourth category for material that "[d]epicts or describes sexual conduct as defined in s. 847.001(19), unless such material is for a course required by s. 1003.46, s. 1003.42(2)(n)1.g., or s. 1003.42(2)(n) 3., or identified by State Board of Education rule." Sexual conduct is defined in section 847.001(19), F.S., as "actual or simulated sexual intercourse, deviate sexual intercourse, sexual bestiality, masturbation, or sadomasochistic abuse; actual or simulated lewd exhibition of the genitals; actual physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or, if such person is a female, breast with the intent to arouse or gratify the sexual desire of either party; or any act or conduct which constitutes sexual battery or simulates that sexual battery is being or will be committed. A mother's breastfeeding of her baby does not under any circumstance constitute 'sexual conduct.'" If a challenge is filed based on a book containing pornography or sexual conduct, it must be pulled from circulation within five (5) days and remain unavailable until the rejection is resolved.

The law further provides that parents have the right to read passages from any challenged material. If the schools board denies the parent the right to read passages aloud at a meeting, the district must discontinue using the material. Also, if the district finds that a book meets the pornography definition, it must discontinue use of the book entirely. If the district finds that a book meets one of the other three categories, it must discontinue the use of the book for any grade level or age group for which the book is declared inappropriate.



Finally, the law addresses the review process. First, review committees must include parents and provide access to the challenged material. Next, the committee meetings must be noticed and open to the public. Then, if a parent<sup>4</sup> disagrees with the final determination about a book by the school board, her or she may ask the Commissioner to appoint a special magistrate who will review the board's decision and make a recommended finding to the SBE. As with the special magistrate process created in HB 1557 last year, the costs of the special magistrate and hearing process will be borne by the district. The law directs the SBE to adopt rules to implement these new provisions, including the adoption of any necessary forms. The law also made some amendments to the annual reports districts must submit to the Commissioner about book challenges. The report should identify the grade level and course in which the material was used, and any book or other material that was not removed needs to be identified along with the rationale for not removing it.

Who Is Responsible for or Affected by the Bill? This new law is likely to affect all personnel connected to teaching and learning, from classroom teachers to media specialists to school administrators and all the way up to district administrators and the school board itself.

<u>How Will the Bill Be Implemented?</u> Curriculum departments will need to determine if the DOE will be pre-approving certain sex education materials, or if the expectation is that districts will still select first but then must seek approval from DOE before the materials can be used. That information must be determined this summer if schools are going to know what they can and cannot teach next year.

The district media specialist or whoever is overseeing this process for the district will need to watch for new SBE rules on these subjects, including the adoption of a standard objection form. The form will need to include the name and contact information for the point-person in the district, and the district's website needs to include the process for challenges related to LGBTQ issues and book challenges. Along the same lines, principals need to notify parents about the process for challenging both instructional materials adopted by the school board and specific materials used at the school. Finally, if any district did not already include classroom reading material in its online database for elementary school books and materials, it will need to make sure that classroom collections are included as well.

**Required Rulemaking?** The SBE is authorized to adopt rules to implement further the pronoun statute, and districts may need to amend any of their own policies that conflict with the new state-mandated policy for all districts that sex is an immutable biological trait.

<sup>&</sup>lt;sup>4</sup> Although the law allows a parent or county resident to file a book challenge, this part of the law refers only to "a parent." It is not clear whether this means any parent in the district can ask for a special magistrate if he or she disagrees with the ultimate decision of the school board or if it only applies to a parent who filed the initial challenge. The legislative analysis says that the appeals process is for a parent who disagrees with this decision "on his or her objection," which suggests that the reference to "a parent" is actually to "the parent" who submitted the objection in the first place. Presumably, a county resident who filed a challenge cannot ask for a special magistrate unless he or she is also a parent of a child attending a district school.



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The SBE may need to amend some of its recently-adopted rules concerning classroom instruction on sexual orientation or gender identity, and districts that have adopted policies addressing these topics may also need to make amendments to reflect the changes enacted.

Finally, districts may need to review and amend their policies concerning book challenges, especially if their policy requires that material be left on the shelf until the conclusion of the challenge. For example, NEOLA's policy template for this topic has historically left it as a school board choice. Also, "Each district school board shall adopt and publish on its website the process for a parent to limit his or her student's access to materials in the school or classroom library."

Required Reports? The law amended the provisions for the annual report submitted to the Commissioner by June 30th about book challenges in the district. Next year's report will need to include information about the grade level and course in which the material was used and include a list of materials that were challenged but not removed, as well as the reasons why they were not removed.

All instructional and administrative personnel should be advised of the new provisions added this year and provided with whatever resources are available to help them navigate through this. Unfortunately, there is not much available from the DOE, and the media specialist training they created earlier this year advises such things as "when in doubt, err on the side of caution." Teachers in grades PreK and 4-8 need to know that the law expanded the prohibition on classroom instruction, and all teachers and administrators need to know about the rule amendments the SBE has adopted this past year on these subjects, because these put their certification at risk. Finally, principals should be advised of their new notification requirements about challenges to instructional material adoption and specific materials used at the school.

<u>Does the Bill Apply to Charter Schools?</u> Yes and no. The sections addressing the definition of sex, pronouns, and classroom instruction on sexual orientation and gender identity apply to charter schools. While it was questionable whether HB 1557 applied to charter schools last year, because the law only amended section 1001.42, F.S., the SBE adopted rules that did extend to charter schools (special magistrate). This year, HB 1069 further amended section 1001.42(8)(c), F.S., and added, "This subparagraph applies to charter schools," in the subparagraph addressing prohibited classroom instruction. Arguably, the rest of paragraph (8)(c) of section 1001.42, F.S., does not apply to charter schools, but the SBE apparently found that this was a health, safety, and welfare law from which charters were not exempt.

However, charter schools are not required to teach the "required" topics listed in section 1003.42, F.S., so the changes to required health and sex education do not apply to charters. Also, just as HB 1467 did not apply to charter schools, despite it arguably being a health, safety, or welfare law, charter schools are not required to comply with section 1006.28, F.S., involving instructional materials and library collections.

What Problems or Concerns May Arise as a Result of this New Bill? The problem is not that the Legislature and DOE want districts to have processes in place to make sure that limited



school resources are being spent on age- and developmentally appropriate reading material. The problem is that the method they have employed is incredibly time and resource-intensive, takes educators away from teaching and learning, and has fed into this damaging narrative that public schools are places of indoctrination and sexual abuse. One of the major issues with both HB 1467 and HB 1557 last year is that they were very much open to interpretation. The DOE and other legislative proponents talked about the laws applying "only" to classroom instruction or pornographic material. However, without clear definitions or guardrails, these issues have been interpreted quite broadly at the local level, as many people have an expansive definition of classroom instruction and wildly differing views on what is considered pornography.

Many districts have been besieged by book challenges from parents, employees, and community members. While some of the challenges have had merit, at least with respect to age appropriateness, many of the challenges have little to do with sexual activity or could not meet even the most expansive definition of pornography. Instead, books that reference slavery, Jim Crow, the civil rights era, and other ugly parts of American history are challenged. Meanwhile, teachers are not sure whether an LGBTQ character in a book or movie or a picture of a same-sex married couple violates the law, because those are not classroom instruction as educators understand the term, but they are the focal point of many local complaints. Bill sponsors have repeatedly said that a picture of a same-sex spouse on the teacher's desk is not classroom instruction, but they are much less direct when asked how the teacher can respond if a student asks a question about it. This year, the answers from some legislators were on the verge of telling teachers to respond to their students that their questions were inappropriate for the classroom and simply direct them back to the state standards instead.

These laws are tying up district resources, as committees must convene, read, review, and assess each of the challenged books, and it is taking books out of circulation for long periods of time. This new law doubles down on that problem by specifically mandating that any challenged book be made unavailable until the objection is resolved. The law limits this requirement to objections based on pornography or depictions of sexual conduct, but, as with so many of these recent laws, the law does little to put guardrails in place and encourages individuals to read the law expansively to the point that the mere reference to an LGBTQ person, or some sexual activity without any description of it, is challenged for including inappropriate sexual content.<sup>5</sup>

**Creates**: Section 1000.071, Florida Statutes.

**Amends**: Sections 1000.21, 1001.42, 1003.42, 1003.46, 1006.28, Florida Statutes.

Companion Bills: CS/HB 1223 (Anderson) / CS/SB 1320 (Yarborough)

<sup>&</sup>lt;sup>5</sup> This vagueness in the law forces each district to address these issues on their own, opening each up to challenge and criticism no matter what they do. The DOE instructs districts to err on the side of caution but then accuses districts of manufacturing controversy when they do so. The Escambia County School District is the latest victim of this, as it now faces a court challenge from Penguin Books, as well as several authors and parents.



<u>CS/HB 1521 (Ch. 23-106)</u> Facility Requirements Based on Sex

By: Representative Plakon

Effective Date: July 1, 2023
Approved by Governor: May 17, 2023

What Does the Bill Do? This new law creates section 553.865, F.S., which is entitled the "Safety in Private Spaces Act." It is directed at restroom use in public buildings, with particular focus on correctional facilities and educational institutions. Like some other bills passed in the last two years, it declares that sex is a biological trait determined at birth. There are females, who have "the specific reproductive role of producing eggs," and males, who have "the specific reproductive role of producing sperm."

# **General Facility Requirements**

The law requires all covered entities, which includes schools, to maintain restrooms "designated for exclusive use by females and . . . exclusive use by males" as determined at birth, or they can maintain a unisex restroom. A unisex restroom is designed for a single occupant (or family) and is accessed by entering through a full door with a secure lock. If the covered entity also has changing facilities, such as a locker room, they must also be maintained for the exclusive use of females and males, or they need to be unisex facilities (single use, secure lock). A person may not enter a restroom or changing facility designated for the opposite sex unless it is to assist a child (under 12), an elderly person (60 or older), or a person with a disability (physical or developmental). There are also exceptions for law enforcement, custodians, and emergency responders, as well as an exception when the appropriate facility is out of order and there is no one of the opposite sex currently in the other facility.

#### <u>Code of Conduct and Employee Discipline Policies</u>

With respect to schools, the law requires that student codes of conduct include disciplinary procedures for "any student who willfully enters, for a purpose other than [the allowable exceptions], a restroom or changing facility designated for the opposite sex on the premises of the educational institution and refuses to depart when asked to do so by" any instructional or administrative personnel or a safe schools officer. Furthermore, if any instructional or administrative personnel enter a facility designated for the opposite sex and refuse to depart when asked, they are in violation of the Principles of Professional Conduct for the Education Profession. See Rule 6A-10.081, F.A.C. All public entities, including schools, must further establish disciplinary procedures for any employee who willfully enters a facility designated for the opposite sex for any purpose other than the exceptions outlined above.

### **Criminal Sanctions**

For people other than students and employees, any person who willfully enters a restroom or changing facility designated for the opposite sex at a school and refuses to depart when asked by appropriate personnel is guilty of trespassing under <u>section 810.08, F.S.</u>. If there was no one



in the facility when the person entered, it is a second degree misdemeanor, while it is upgraded to a first degree misdemeanor if the facility was occupied when entered.

## **State Board Rules**

Next, the law requires the SBE to adopt rules to implement this new law "and to ensure compliance with and enforcement of this section, including, but not limited to, the type, format, and method of delivery of the documentation required" to show compliance with the facility requirements.

# Reporting Requirements and Complaints

Finally, the law requires schools to submit documentation of compliance with restroom and changing facility requirements to the SBE by April 1, 2024, or within one year of opening, for those schools opening after July 1, 2023. Then, beginning July 1, 2024, people may submit complaints to the Attorney General if they believe a school is not meeting the facility requirements. If a school is not in compliance, the Attorney General can bring a civil action seeking injunctive relief and up to a \$10,000 fine.

Who Is Responsible for or Affected by the Bill? Schools already have restroom requirements under SREF, and the SBE adopted a restroom rule in 2022. See Rule 6A-10.086, F.A.C. (requiring districts to notify parents if they had a policy that separated restrooms or changing facilities by anything other than biological sex at birth). Thus, most districts will not need to do anything in particular with their facilities or use of facilities policies. However, any district that currently allows people to use restrooms or changing facilities based on something other than biological sex at birth will need to repeal those policies to comply with this new law.

District student services departments will need to bring forth new language for board approval of the student codes of conduct, and district HR departments will need to do the same to address disciplinary procedures for employees (6A-10.081 violation for instructional and administrative personnel and some other disciplinary penalty for other employees). Finally, enforcement of the law at schools is limited to instructional and administrative personnel, so those are the employees who may be asked to enforce this new law.

<u>How Will the Bill Be Implemented?</u> This is the tough question. Structurally, district schools will continue to designate most of their restrooms and changing facilities as male or female (with unisex bathrooms in primary grade classrooms), and codes of conduct and employee disciplinary policies will be amended. However, it is one thing to designate restrooms as male or female, but something else to enforce it.

For compliance purposes, districts will need to watch for <u>SBE rulemaking notices</u> to see what is adopted with respect to demonstrating compliance with the facility designation requirements and any other requirements that may be adopted to implement this new law.

**Required Rulemaking?** The SBE will adopt rules establishing how districts can demonstrate compliance with the restroom and changing facility requirements, and it is possible that the rules will go further.



School boards will need to adopt provisions in their student codes of conduct and employee discipline policies. This may also require making changes to collective bargaining agreements, depending on the employee discipline language contained therein. Also, any district that elected to adopt a restroom or changing facility policy based on gender identity or something other than biological sex at birth will need to repeal that policy, as state law trumps school board policy.

<u>Required Reports?</u> Schools will need to submit evidence of compliance with the facility designation requirements by April 1, 2024, pursuant to whatever requirements are adopted by the SBE through rulemaking.

Required Training? Administrators and instructional personnel will need to be advised of this new law and the fact that they are the only employees at the school who can enforce it. Procedures for responding to complaints may need to be developed, as situations where students are accusing other students of being in the wrong restroom could escalate quickly and potentially disrupt the learning environment. Districts may also need to remind other employees who are not instructional personnel or administrators that they do not have the authority under the law to enforce it.

<u>Does the Bill Apply to Charter Schools?</u> Yes. Both charter and private schools are explicitly included in the Safety in Private Spaces Act.

What Problems or Concerns May Arise as a Result of this New Bill? There are two primary concerns with this new law. First, issues concerning gender identity and facility usage are being litigated across the country. While the U.S. appellate court with jurisdiction over Florida recently upheld a school district's decision to restrict restrooms to biological sex, not gender identity, other courts have found differently, and there were numerous facts cited in the Florida case that led to the decision upholding the district's policy. This law and other issues involving transgender people are going to continue to be litigated, which may cause uncertainty at times as to the current status of the law. Some districts may even be named as defendants or receive federal OCR complaints as people seek to challenge it, which can result in significant costs and more personnel time being diverted from the classroom.

Second, and more importantly, is the question of enforcement. As noted above, it is one thing to designate a restroom male or female, but it is quite another to enforce that. How is a teacher or administrator supposed to determine a student's biological sex at birth? The student information system may indicate that a student is male or female, but that information is usually obtained based on the copy of the birth certificate, passport, or other document used when the student enrolled. Some transgender people have had these documents changed to reflect their gender identity. Will the DOE consider it sufficient for the principal to refer to the student information system to determine the student's sex? Even more difficult will be enforcing this law against adults, as they will not be in the student information system, and the school may not have any documentary evidence of the person's biological sex.

A strict reading of the law would require a transgender male (biologically female at birth) to use the female restroom even if he looks to all observers like a male. It requires no stretch of



imagination to envision a woman in the woman's restroom being concerned when a person with a beard and a masculine appearance enters the restroom. The woman would then summon a teacher of administrator to ask the person to leave. The transgender male, who may have had his driver's license changed to reflect his gender identity, would have no way of demonstrating that he is in fact following the law by using the female restroom, short of subjecting himself to a strip search. Teachers and administrators should not be placed in such a position or be asked to conduct genital checks. Obviously, transgender people will have a difficult time navigating this new law, but it could also place a tremendous burden on teachers and administrators asked to enforce it.

<u>Creates</u>: Section 553.865, Florida Statutes.

Amends: N/A.

Companion Bill: CS/SB 1674 (Grall)

Final Legislative Analysis

# Other District Operations

<u>CS/CS/HB 633 (Ch. 23-104)</u> K-12 Education (Class-size)

By: Representatives Salzman and Hawkins

Effective Date: July 1, 2023
Approved by Governor: May 17, 2023

<u>What Does the Bill Do?</u> This law eliminates the financial penalty for noncompliance with Florida class-size requirements and grants military children exceptional status with respect to special academic programs in the district and controlled open enrollment options, if the parent is transferred to Florida during the school year.

#### Class-size Penalty

Currently, section 1003.03, F.S., establishes a formula to determine the appropriate penalty when a school violates the class-size amendment. This new law strikes all of the financial penalties. However, districts will still need to determine if their October survey indicates any class-size violations and submit a plan to the Commissioner by February 1<sup>st</sup> detailing what actions the district will take to return to compliance by the next October survey.

#### Students of Military Families

With respect to military students, section 1003.05, F.S., already provides that they must receive first preference for admission to special academic programs in the district, if they meet eligibility criteria, even if the program is offered at a school other than the one to which the student is assigned. It also requires that military children receive preferential treatment in the



controlled open enrollment process. Now, military students whose parents transfer into the state during the school year "[m]ust be enrolled in [a special academic program]" if requested. There does not appear to be any restrictions based on program size, class-size requirements, or facility capacity, but the student must still meet eligibility criteria for the program. Also, military students of a parent who transfers into Florida after the controlled open enrollment window has closed "may enroll in any school within the state." Again, there is no provision for class-size requirements or facility capacity.

Who Is Responsible for or Affected by the Bill? The Florida Constitution still establishes maximum class sizes for core courses. The fact that there may no longer be a financial penalty for noncompliance should not be treated as an open invitation to ignore this constitutional requirement. Curriculum teams responsible for class scheduling, as well as district personnel responsible for the allocations of teaching units to schools, should still seek to comply with the law.

District personnel responsible for student assignments to schools and magnet programs will need to be aware of the special exemptions for certain military children. In districts with large military populations, multiple students choosing to join special academic programs or attend any school they wish may cause issues with both class-size and facility capacity. If a significant number of students take advantage of this new law, special academic programs in these districts may need to consider leaving a number of seats open at the beginning of the year to avoid issues as military students join throughout the year.

<u>How Will the Bill Be Implemented?</u> Districts will still assess class-size compliance, but it will only be following the October survey. Districts will also still need to submit plans for returning to compliance.

For districts without many military students, awareness of the new law is probably all that is required. However, districts with a larger population of military children with a pattern of transferring into school during the school year may need to look at their controlled open enrollment and magnet program practices to account for the influx of new students during the year. As mentioned above, depending on the capacity of the program or facility itself, it may be necessary to hold open seats at the start of the year.

**Required Rulemaking?** Districts may need to update their school choice and controlled open enrollment policies to address the new special allowances for certain military children.

Required Reports? It is not new, but districts will still need to submit a plan for return to class-size compliance if they are found to be out of compliance during the October survey.

**Required Training?** N/A.

<u>Does the Bill Apply to Charter Schools?</u> Yes and maybe. Charter schools must comply with the class-size requirement too and could be penalized under the current version of the law. With respect to military students, it appears that section 1003.05, F.S., refers to all public schools. All public schools with special academic programs must accept a military student whose parent transfers into Florida after the start of the school year, and the same student can



use controlled open enrollment to "enroll in any school within the state." Presumably, this should include charter schools, but section 1003.05, F.S., is not listed among the statutes with which charter schools must comply, so it is not clear whether an eligible military student may elect to enroll in a charter school without restriction.

What Problems or Concerns May Arise as a Result of this New Bill? The repeal of the class-size financial penalty is a welcome change this year, as it did not always make sense to take funds from a district for non-compliance when financial constraints can be the cause of the non-compliance in the first place.

The concern here is for those districts with large military populations, as it is possible that the new provisions granting certain military students special rights could cause some serious logistical problems. If 30 new elementary students transfer into a district mid-year and all elect to enroll in a special STEM program at one school, this law does not appear to allow districts to say no unless they are not academically qualified. This is true even if the program is full or would need to hire new personnel or if the school itself is operating above capacity and is barely able to serve the students already enrolled. Obviously, military students face more challenges than most students, and giving them an opportunity to continue in a similar academic program that they may currently be attending will make the transition easier for them. It just may cause some logistical problems for a handful of districts with popular, overcrowded schools.

<u>Creates</u>: N/A.

<u>Amends</u>: Sections 1003.03 and 1003.05, Florida Statutes.

Companion Bill: CS/SB 1236 (Wright)

Final Legislative Analysis

CS/SB 1278 (Ch. 23-310) Direct-support Organizations

By: Senator Simon

Effective Date: Upon becoming law

Approved by Governor: June 29, 2023

What Does the Bill Do? This new law addresses direct-support organizations (DSO) for DCF and school districts. This summary will only address the provisions about school district DSOs. Under the current law, school boards could allow DSO's to use district property, facilities, and personal services. Now, districts can also contract with a DSO for personal services or operations, but this cannot be used to get around the retirement requirements for FRS members. Also, the law used to require that a DSO with more than \$100,000 in expenditures undergo an annual financial audit. That amount will now be raised to \$250,000 in annual expenditures before the audit requirement kicks in. School boards may not contract with a vendor to perform the DSO audit.



<u>Who Is Responsible for or Affected by the Bill?</u> These provisions will primarily fall upon the district's education foundation, if it is still a DSO.

<u>How Will the Bill Be Implemented?</u> Generally, this will be implemented by the DSO, which may ask the district to agree to enter into a contract for the required financial audit or seek to enter into a contract with the district for personal services and operations.

**Required Rulemaking?** N/A. **Required Reports?** N/A.

Required Training? N/A.

<u>Does the Bill Apply to Charter Schools?</u> No. Charter school governing boards do not have the option of approving a DSO under section 1001.453, F.S.

What Problems or Concerns May Arise as a Result of this New Bill? N/A.

<u>Creates</u>: N/A.

<u>Amends</u>: Sections 402.57, 1001.453, Florida Statutes

<u>CS/HB 925 (McClain)</u> / <u>CS/SB 1040 (Burgess)</u>

Final Legislative Analysis

CS/CS/HB 837 (Ch. 23-15) Civil Remedies

By: Representatives Gregory and Fabricio

Effective Date: March 24, 2023
Approved by Governor: March 24, 2023

What Does the Bill Do? This new law represents significant tort reform for the entire state, which could have a positive impact on district operations and finances in the long run, if it is determined that its main provisions apply to school districts. It includes limitations on, or restrictions to attorney's fees, and it shortens the statute of limitations for negligence actions from four (4) years to two (2). However, it does not amend the sovereign immunity statute, which still provides that claims for negligence against a government entity must be filed within four (4) years and that a claim must be made to the agency within three (3) years.

The law also amends the comparative and contributory fault laws to provide that anyone found to be more than 50% at fault cannot recover any damages. There is much more to the bill, including numerous new provisions about medical evidence and expenses, that district risk managers and board attorneys may wish to read in full, but the possible shortening of the statute of limitations and restrictions on attorney's fees are the two main issues that will affect districts.



Who Is Responsible for or Affected by the Bill? District risk management departments will be most affected by this new law and should become more familiar with it in its entirety.

**How Will the Bill Be Implemented?** There is nothing for districts to implement.

Required Rulemaking? N/A.

Required Reports? N/A.

Required Training? N/A.

**Does the Bill Apply to Charter Schools?** Yes.

What Problems or Concerns May Arise as a Result of this New Bill? The primary concern for districts is that the new law failed to address section 768.28, F.S. Is the statute of limitations for negligence four (4) years or two (2) for claims against school districts? Section 95.11, F.S., says the statute of limitations for all negligence claims is two (2) years, but section 768.28(14), F.S., says that it is four (4) years when the claim is against a government entity. Which one controls? The Legislature appeared to recognize this problem, as the House passed HB 7059 specifically to bring section 768.28, F.S., in line with the amendments made to section 95.11, F.S. It would have amended section 768.28, F.S., to provide that the statute of limitations was two (2) years and that a claim had to be filed within 18 months, instead of the current three (3) years. However, that bill died in the Senate, leaving the conflict between the two, and there is no mention of this issue in the final legislative analysis.

**Creates**: Sections 86.121, 624.1552, and 768.0427, Florida Statutes.

**Amends**: Sections 57.104, 95.11, 624.155, 627.756, and 768.81, Florida Statutes.

Companion Bill: CS/CS/SB 236 (Hutson)

Final Legislative Analysis

# Politics/Public Officials

<u>CS/CS/SB 774 (Ch. 23-49)</u> Ethics Requirements for Public Officials

By: Senator Brodeur Effective Date: May 11, 2023

Approved by Governor: May 11, 2023

<u>What Does the Bill Do?</u> This law further codifies the switch to the electronic filing of financial disclosure reports, which began for most elected officials on January 1, 2023. The law will now allow a filer to report his or her income by submitting a federal income tax return, as long as all attachments and schedules associated with the return are filed as well.



This new law requires the Commission on Ethics to notify all required filers by June 1<sup>st</sup> each year of the applicable filing deadlines and instructions for filing. The Commission must also publish a notice with the electronic filing system to remind people to redact their social security number, bank account number, charge card number, and other personally identifying numbers. As of January 1, 2023, the Commission cannot provide paper forms, as those required to file a full and public disclosure of financial interests must use the new electronic filing system.

Finally, the maximum civil penalty allowed for violation of the mandatory reporting of financial interests has been increased from \$10,000 to \$20,000.

Who Is Responsible for or Affected by the Bill? School board members, superintendents, and other district personnel who have sufficient purchasing authority or otherwise meet the requirements for financial disclosure are responsible for their annual filings and affected by these changes. However, for the most part, the changes for them are minimal, such as allowing income tax returns to demonstrate income and allowing attachments to be filed with the electronic filing system.

<u>How Will the Bill Be Implemented?</u> This is largely up to the Commission to implement, which includes notifying required filers of the deadlines and instructions for submitting their financial disclosure. It is then up to individual reporters to complete and submit the appropriate financial disclosure form in a timely manner.

**Required Rulemaking?** The Commission is required to revise its forms and any related rules to conform to this new law. However, any revisions it makes for forms and instructions for the 2022 filing year are exempt from the requirements of Chapter 120, so they will not be accomplished through normal rulemaking procedures.

Required Reports? N/A.

**Required Training?** N/A.

**Does the Bill Apply to Charter Schools?** No.

What Problems or Concerns May Arise as a Result of this New Bill? N/A.

<u>Creates</u>: N/A.

**Amends**: Sections 99.061, 112.3142, 112.3144, 112.31445, 112.31446, 112.3145,

112.317, 112.3215, and 112.324, Florida Statutes.

<u>CS/CS/HB 37 (Roach)</u>



HB 477 (Ch. 23-37) Term Limits for District School Board Members

By: Representative Rizo

Effective Date: July 1, 2023
Approved by Governor: May 9, 2023

What Does the Bill Do? This law amends the term limits of school board members from 12 years, which was enacted last year, to eight (8) years. All other provisions of the law remain the same, so it only applies beginning with terms of office that commenced after the general election in 2022. For board members who were elected to their current term in 2022, they can run again in 2026 but will not be able to run in 2030. For those board members who were elected in 2020, they can run in 2024 and 2028 but will not be able to run again in 2032.

Who Is Responsible for or Affected by the Bill? This bill affects school board members.

**How Will the Bill Be Implemented?** There is nothing for districts to implement. This law is about individual school board member term limits.

Required Rulemaking? N/A.

Required Reports? N/A.

Required Training? N/A.

**Does the Bill Apply to Charter Schools?** No.

What Problems or Concerns May Arise as a Result of this New Bill? The only real concern is the same with all term limits. Institutional knowledge is lost, and some members may try to do too much too fast because they have less time to accomplish their goals. On the other hand, setting the school board term limits at eight (8) years aligns them with most other elected positions in Florida.

<u>Creates</u>: N/A.

<u>Amends</u>: Section 1001.35, Florida Statutes.

Companion Bill: CS/CS/SB 1110 (Ingoglia)



HJR 31 Partisan Elections for Members of District School

**Boards** 

By: Representatives Roach and Sirois

Effective Date: General Election, 2024

Approved by Governor: N/A (approved by Legislature on April 19, 2023)

What Does the Joint Resolution Do? This joint resolution will ask Floridians to vote in 2024 to amend the Florida Constitution to make school board races partisan, as they were prior to 2000. If approved by 60% of the voters, school board races would go back to being partisan races in 2026.

Who Is Responsible for or Affected by the Joint Resolution? N/A.

<u>How Will the Joint Resolution Be Implemented?</u> Voters will decide the issue during the 2024 general election. If approved, the Florida Constitution will be amended, and the general election in 2026 would be the first partisan school board elections, although partisan primary elections would also be allowed first. Although it is not part of the constitutional amendment, section 99.021, F.S., provides that anyone who wishes to run for office as a particular political party member must have been a registered member of that party for 365 days prior to the beginning of the qualification period.

If the measure does not receive approval by 60% of the voters, school board elections will remain as they are now.

Required Rulemaking? N/A.

Required Reports? N/A.

Required Training? N/A.

<u>Does the Joint Resolution Apply to Charter Schools?</u> No. Charter school board members are not elected.

What Problems or Concerns May Arise as a Result of this New Bill? Most people would probably argue that school board races have already become partisan with money and influence from local, state, and national politics injected into the races over the last several years. It remains to be seen whether 60% of the voters in Florida will support the measure next year.

<u>Creates</u>: N/A.

Amends: N/A.

Companion Joint Resolution: SJR 94 (Gruters)



**HB 411 (Ch. 23-101)** Residency of Local Elected Officials

By: Representative Steele

Effective Date: July 1, 2023
Approved by Governor: May 17, 2023

What Does the Bill Do? This new law amends the requirements for redrawing county commissioner district lines and creates similar requirements for municipal district boundaries. More importantly, it also amends section 1001.36, F.S., which addresses school board member residence areas, and section 1001.361, F.S., which addresses residency requirements for school board candidates.

Instead of restricting changes to the residence areas to odd-numbered years, section 1001.36, F.S., will now provide that no changes can be made within 270 days of a general election. The law also adds that residence areas cannot be drawn to favor or disfavor a candidate or incumbent school board member.

With respect to section 1001.361, F.S., the law will now provide that a school board member must reside within the board member residence area by the time he or she assumes office, as opposed to the current requirement that a candidate for the position reside within the residence area at the time of qualification for the election.

Who Is Responsible for or Affected by the Bill? The change from odd-numbered years to no less than 270 days before the general election should not cause any significant changes to the current process of changing board member residence areas. The new residency requirement is a compliance issue for candidates elected to the board.

How Will the Bill Be Implemented? N/A.

Required Rulemaking? N/A.

Required Reports? N/A.

Required Training? N/A.

<u>Does the Bill Apply to Charter Schools?</u> No. Charter school board members are not elected.

What Problems or Concerns May Arise as a Result of this New Bill? During debate on the bill, several people expressed concern that people who do not live in a district or have any familiarity with the residency area will run for and be elected to serve that district on the school board. However, this is the case with most elected offices already, where residency requirements start when the person takes office, not at the time of qualification for the election. Ultimately, if local voters want to elect a "carpetbagger," they are free to do so.

<u>Creates</u>: Section 166.0321, Florida Statutes.

<u>Amends</u>: Sections 124.01, 1001.36, and 1001.361, Florida Statutes.



CS/SB 444 (Ingoglia); SB 1080 (Yarborough); HB 7069 (Fernandez-Barquin)

Final Legislative Analysis

CS/HB 773 Hernando County School District

By: Representative Holcomb

Effective Date: Upon Becoming Law

Approved by Governor: June 9, 2023

What Does the Bill Do? This bill seeks to overturn the vote of Hernando County residents in 1992 to convert the Superintendent position from elected to appointed. The question will go before Hernando voters at the 2024 general election, as they will decide whether to go back to an elected Superintendent or continue with an appointed one. If the voters decide to return to an elected position, the first election for superintendent will occur during the 2028 general election.

Who Is Responsible for or Affected by the Bill? N/A.

Hernando voters will again decide whether they wish to have an elected or an appointed Superintendent. If they decide to return to an elected Superintendent, the first election will be in 2028. Until then, the position would remain appointed. Obviously, if the decision is to continue with an appointed Superintendent, nothing changes.

Required Rulemaking? N/A.

Required Reports? N/A.

Required Training? N/A.

**Does the Bill Apply to Charter Schools?** No.

What Problems or Concerns May Arise as a Result of this New Bill? The only real concern is with the potentially confusing wording of the referendum question:

Currently, by resolution, the Hernando County School Board provides for an appointed Superintendent of Schools for the Hernando County School District. Shall Chapter 2023-, Laws of Florida, which repeals the Hernando County School Board Resolution and provides that the Superintendent of Schools shall no longer be appointed by the School Board, but shall be elected in a partisan election for a term of four years, beginning with the 2028 General Election, become effective?

(	) Yes.	(	No.
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Shall a law become effective is not as clear as asking directly to choose between elected and appointed or something more like "Shall Hernando County return to electing its Superintendent?"

<u>Creates</u>: N/A.

Amends: N/A.

Companion Bill: N/A (local bill).

Final Legislative Analysis

# Other Bills of Note

Due to time constraints, this report was not able to go into depth on some other noteworthy legislation that may affect school districts. However, these laws are linked below, and there is a link to the final legislative analysis that should be reviewed.

CS/CS/HB 3 (Ch. 23-28) Government and Corporate Activism
By: Representatives Rommel and Sirois

Effective Date: July 1, 2023
Approved by Governor: May 2, 2023

"Notwithstanding any other law, when deciding whether to invest and when investing public funds pursuant to this section, the unit of local government must make decisions based solely on pecuniary factors and may not subordinate the interests of the people of this state to other objectives, including sacrificing investment return or undertaking additional investment risk to promote any nonpecuniary factor. The weight given to any pecuniary factor must appropriately reflect a prudent assessment of its impact on risk or returns."

"(2)(a) An awarding body may not request documentation of or consider a vendor's social, political, or ideological interests when determining if the vendor is a responsible vendor. (b) An awarding body may not give preference to a vendor based on the vendor's social, political, or ideological interests."



CS/SB 676 (Ch. 23-220) Level 2 Background Screenings

By: Senator Grall Effective Date: July 1, 2024 Approved by Governor: June 12, 2023

This bill largely focuses on AHCA and the new clearinghouse requirements that have been enacted over the last couple of years. However, there are some amendments to sections of law directly affecting districts. For example, the disqualifying list in section 1012.315, F.S., is stricken, and the disqualification list in section 435.04, F.S., is referenced instead. It does not appear that there are any new or removed offenses with this switch.

Final Legislative Analysis

CS/SB 252 (Ch. 23-43) Protection from Discrimination Based on Health

**Care Choices** 

By: Senator Burton Effective Date: May 11, 2023 Approved by Governor: May 11, 2023

This new law expands upon the Legislature's prohibitions against mask and vaccine mandates related to COVID-19. No governmental entity can require documentation about vaccine status or Covid test results. Also, no government entity can refuse to hire a person or otherwise discriminate in the employment of a person based on their vaccination status.

With respect to schools, no school can ask for documentation about vaccination or Covid test status or otherwise use Covid information to prevent access to a school. Also, no school can require a person to wear a face mask, except as required for safety reasons pursuant to rules adopted by the Department of Health, which is given emergency rulemaking authority for this. With respect to vaccines, these provisions only apply to COVID-19.



CS/CS/SB 346 (Ch. 23-134) Public Construction

By: Senator DiCeglie

Effective Date: July 1, 2023
Approved by Governor: May 25, 2023

This appears to shorten some timelines and mandate certain payouts for all local governmental public construction projects. Local governments are defined in the "Local Government Prompt Payment Act" (sections 218.70 - .80, F.S.) to include school districts.

Final Legislative Analysis

<u>CS/CS/SB 1310 (Ch. 23-256)</u> Substitution of Work Experience for

**Postsecondary Education Requirements** 

By: Senator DiCeglie

Effective Date: July 1, 2023
Approved by Governor: June 16, 2023

This law enacts the "Expanding Public Sector Career Opportunities Act." The Act provides that a public employer, including school districts, can only require a postsecondary degree as a baseline requirement "as an alternative to the number of years of direct experience required." It establishes that two years of work experience equals an associate degree, four years equals a bachelor's degree, six years equals a master's degree, seven years equals a professional degree, and nine years of direct experience equals a doctoral degree. However, the law remains that work experience cannot substitute for any required licensure or certification.

Final Legislative Analysis

CS/CS/SB 262 (Ch. 23-201) Technology Transparency

By: Senator Bradley

Effective Date: July 1, 2024
Approved by Governor: June 6, 2023

While this law is primarily directed at online platforms, it also prohibits certain government employees from requesting that social media platforms remove content, or accounts, or maintain any sort of agreement about content moderation. However, this does not apply to routine account management, identifying fake accounts posing as the governmental entity or



person, removal of content about crimes or violations of public records law, or investigations related to prevent bodily harm, loss of life, or property damage.

Final Legislative Analysis

**CS/SB 102 (Ch. 23-17)** Housing

By: Senator Calatayud

Effective Date: July 1, 2023

Approved by Governor: March 29, 2023

This law addresses affordable housing, but it also includes a couple of provisions related to school district affordable housing programs. Those districts that have started or are considering potential affordable housing projects for district employees will want to review this law in full.



# **Budget**

SB 2500 (Ch. 23-239) General Appropriations Act

Effective Date: July 1, 2023
Approved by Governor: June 15, 2023

What Does the Bill Do? This is the General Appropriations Act (GAA) for 2023-24. It is important to remember when reviewing the changes from last year that the Legislature significantly amended the way the FEFP is calculated and instituted universal school choice, so some of the numbers may suggest more significant changes than are actually there.

Category	4 <sup>th</sup> Calc 22-23	Conf Calc 23-24	<u>Difference</u>	Percentage Diff
Unweighted FTE	2,977,710.18	3,095,082.45	117,372.27	3.94%
Weighted FTE	3,276,847.70	3,413,445.79	136,598.09	4.17%
RLE	3.262	3.262	0	0%
BSA	\$4,587.40	\$5,139.73	\$552.33	12.04%
Total Funds per UFTE	\$8,243.44	\$8,648.11	\$404.67	4.91%
Base FEFP	\$15,034,590,411	\$17,753,850,142	\$2,719,259,731	18.09%
Classroom Teacher & Other Instructional Personnel Salary Increase (fka TSIA)	\$800,000,000	\$1,052,803,316 (Rolled into BSA)	\$252,803,316	31.60%
ESE	\$1,094,851,200	\$1,211,296,702	\$116,445,502	10.64%
Compression and Hold Harmless	\$66,139,409	Rolled into BSA		-100%
Inst. Materials	\$246,978,361	Rolled into BSA		-100%
Mental Health	\$140,000,000	\$160,000,000	\$20,000,000	14.29%
Reading	\$170,000,000	Rolled into BSA		-100%
Safe Schools	\$210,000,000	\$250,000,000	\$40,000,000	19.05%
Sparsity	\$62,181,511	Rolled into BSA		-100%
Transportation	\$515,009,084	\$535,831,174	\$40,822,090	4.04%
Educational Enrichment (fka SAI)	\$719,314,907	\$825,066,525	\$105,751,618	14.70%
Total FEFP	\$19,544,051,475	\$21,186,118,818	\$1,642,067,343	8.40%
Local Effort	\$8,854,248,311	\$9,891,348,974	\$1,037,100,663	11.71%
State Effort	\$10,689,803,164	\$11,294,769,844	\$604,966,680	5.66%
Class Size	\$2,896,071,526	\$2,784,578,812	(\$111,492,714)	-3.85%
Total Funding	\$24,546,566,152	\$26,766,612,957	\$2,220,046,805	9.04%



#### FEFP Restructuring

As shown in the chart above and discussed further below, there were several significant changes made to the FEFP this year. For example, several categorical allocations have been altered or eliminated, with many of them now being wrapped into the base student allocation (BSA). Also, the Teacher Salary Increase Allocation (TSIA) is now the Classroom Teacher and Other Instructional Personnel Salary Increase (CTOIPS) but part of the BSA as well. However, there are still some salary restrictions for CTOIPS, and the requirements to implement a reading plan and purchase instructional materials remain. Thus, the large increase in the BSA does not mean that districts have unrestricted access to an additional \$552.33 per student.

#### **FEFP Highlights**

More will be discussed below in the section on the Implementing (SB 2502) and Conforming Bills (HB 5101), but here are the main takeaways for the 2023-24 FEFP:

- A \$552.33 increase to the BSA to \$5,139.73, primarily due to the collapsing of several, large categorical allocations, as mentioned above.
- A \$404.67 increase to the total funds per UFTE for an average of \$8,648.11 per UFTE.
- Roughly 70% of the districts will see an increase in total funds per UFTE of between 4.0 and 6.0% with another 18% falling between 6.0 and 7.0%.
- FES is retained within district allocations, but there are some attempts to address proration and other recurring issues in the new FEFP. These include the:
  - Educational Enrollment Stabilization Program this was created to try to eliminate the negative effects of proration on districts and charter schools. The two chambers agreed to reserve \$350 million to address any inaccuracies in the enrollment forecasts.
  - Small District Factor an additional amount (1.027 multiplier) per FTE is provided to districts in fiscally constrained counties with less than 20,000 students.
  - Comparable Wage Factor (CWF) replaces the district cost differential (DCD) and only applies when it is above 1.0.
  - Educational Enrichment Allocation this replaces the Supplemental Academic Instruction allocation (SAI) and appears to expand upon the types of programs and services for which the funds can be used. The total amount of the allocation has been increased by over \$105 million.
- Safe Schools and Mental Health Allocations remain intact and increase to \$250 million (+\$40 million) and \$160 million (+\$20 million), respectively.
- Elimination of some categoricals, which are then rolled into the BSA:
  - o Funding Compression and Hold Harmless,
  - Instructional Materials Allocation,
  - Reading Allocation,
  - Sparsity Supplement,



- Teacher Salary Increase Allocation (now the Classroom Teacher and Other Instructional Personnel Salary Increase),
- Teachers Classroom Supply Assistance (\$300 per eligible full-time teacher payable from the BSA now), and
- Turnaround Supplemental Services Allocation.
- Classroom Teacher and Other Instructional Personnel Salary Increase (CTOIPS), although now part of the BSA, increased from \$800,000,000 to \$1,052,803,316
  - o 4.52% or \$802,474,026 is for maintenance of prior year TSIA increases.
  - 1.41% or \$250,329,290 is for increasing minimum salary to \$47,500 or to provide increases to other instructional personnel. (See HB 5101 below)

Additionally, because of its profound effect on district budgets, here are the key provisions from the FRS bill, SB 7024, which is discussed at greater length below:

- DROP for all employees increases from 60 to 96 months, effective upon becoming law. An additional 24 months DROP extension is available for instructional personnel through June 30, 2029.
- Employees may enter DROP "at any time" after they reach their normal retirement date (i.e., no more 12-month window to use it or lose it at age 57).
- DROP interest rate is increased from 1.3% to 4.0%, effective July 1, 2023.
- FRS rate increases for regular class from 11.85% (including 1.66% health insurance subsidy) to 13.51% (including 2.0% health insurance subsidy) for a total increase of 1.66 percentage points.
- FRS rate increases for DROP members from 18.6% (including 1.66% health insurance subsidy) to 21.13% (including 2.0% health insurance subsidy) for a total increase of 2.53 percentage points.
- FRS employer contribution rate increase for investment plan members from 9.3% to 11.3% for a total increase of 2.0 percentage points.
- Overall employer contribution increase for school districts FADSS has estimated as much as \$350 million or more (but Legislature estimates only \$268 million).

#### **Cost Factors**

The GAA for 2023-24 also includes some changes to the program cost factors compared to last year:

1. Basic Programs	<u>22-23</u>	<u>23-24</u>
A. K-3 Basic	1.126	1.122
B. 4-8 Basic	1.000	1.000
C. 9-12 Basic	0.999	0.988
2. Programs for Exceptional Students		
A. Support Level 4	3.674	3.706
B. Support Level 5	5.401	5.707



3. English for Speakers of Other Languages	1.206	1.208
4. Programs for Grades 9-12 Career Education	0.999	1.072

Also, as is discussed below with HB 5101, there will no longer be a cap for Group 2 students.

#### Other Key Budget Provisions

School Recognition \$200,000,000

Bright Futures \$590,696,329 (-\$30,184,728)

PECO for Charters \$213,453,885 (+\$17,685,142) – but see HB 1259, above

PECO for Public Schools \$0 (-\$11,422.223)

Special Capital Projects \$88,590,239 (3 districts – Gadsden, Glades, and Putnam)

VPK \$427,003,731 (-\$26,413,811, and also -\$100 million for VPK

minimum wage from 2022-23 budget)

# Specific Provisions of Note

Classroom Teacher and Other Instructional Personnel Salary Increase (fka TSIA):

From the funds in Specific Appropriations 5 and 80, \$250,329,290 is provided for school districts and charter schools to provide salary increases to full-time classroom teachers and certified prekindergarten teachers funded in the Florida Education Finance Program (FEFP), and other instructional personnel. Each school district and charter school shall use 1.41 percent of its base FEFP funding amount as provided in the conference report of the Fiscal Year 2023-2024 General Appropriations Act, to either (a) increase the minimum base salary reported on the school district's or charter school's performance salary schedule, as defined in section 1012.22(1)(c), Florida Statutes, to at least \$47,500 or the maximum amount achievable based on the amount the 1.41 percent generates, or (b) to provide salary increases to other full-time instructional personnel as defined in section 1012.01(2), Florida Statutes. If a school district or charter school uses all or a portion of its funds to increase the minimum base salary, no eligible full-time classroom teacher or eligible certified prekindergarten teacher shall receive a minimum base salary less than the adjusted amount.

From the funds in Specific Appropriations 5 and 80, **4.52 percent, or \$802,474,026**, of the base Florida Education Finance Program funding is provided to maintain prior year salary increases provided to classroom teachers and other instructional personnel through the Teacher Salary Increase Allocation.



# Back of the Bill

Unlike last year, there are no real surprises or added concerns based on provisions at the "back of the bill." Essentially, unspent funds for things like ESSER, ESSER II, and ARP revert and are reappropriated for the same purpose, whereas last year some of these funds were repurposed. It is also worth noting that it does not appear that the recent debt ceiling deal reached in Congress will affect district's planned expenditures with ESSER, ESSER II, or ARP funds. However, there are some Educational Stabilization Funds involved in the Congressional plan, so there could be a lost grant opportunity or, perhaps, some other small impact.

Also, as mentioned above, the Legislature set aside \$350 million for its Educational Enrollment Stabilization Program (GAA sec. 54, also see HB 5101 below). These funds are placed in reserve, and the DOE is authorized to submit budget amendments if district and FES enrollment estimates are too low.

#### Key Takeaways

The Legislature significantly altered the way the FEFP is built, but the net result for all districts is a significant increase in funding. However, the large increase in the BSA may create a false impression, as there are multiple categorical allocations that are now rolled into the BSA despite the fact that the requirements remain. Also, there will be a significant increase in employer contributions for FRS as a result of SB 7024. Unlike most other FRS employers, school districts do not have the ability to raise tax rates or tuition and fees to meet the higher cost of doing business imposed on them by FRS rate increases. This may make salary negotiations more difficult, and it will be important to clearly demonstrate all the hidden costs that still remain despite the \$552 increase to the BSA.

Who Is Responsible for or Affected by the Bill? All district employees and students are affected by the GAA. Some veteran teachers may benefit from decompression efforts to the salary schedule this year due to the lack of restrictions (e.g., 80/20 or 50/50) in the GAA and the elimination of provisions in section 1012.22, F.S., as discussed below with HB 5101.

<u>How Will the Bill Be Implemented?</u> District finance officers will need to pay close attention to the changes made to the FEFP and prepare for any uncertainties that may arise with the expansion to a universal voucher system. Despite the elimination of certain categoricals, funds must still be set aside for instructional materials, reading plans, teacher salary maintenance and increases, higher FRS rates, and much more.

#### Required Rulemaking? N/A.

There is \$2,100,000 provided to the DOE for salary increases for classroom teachers employed by a juvenile justice education program or school. To be eligible, the program or school must have a contract with a school district for the provision of instructional and special education services. For the funds to be distributed, each district that is eligible to receive the funds "must develop and submit to the [DOE] a report that identifies, by juvenile justice education program or school, the eligible full-time classroom teachers and the



associated amount being provided to each teacher to increase the salary level to the minimum base salary" in the district.

**Required Training?** N/A.

<u>Does the Bill Apply to Charter Schools?</u> Yes. Charter schools are public schools and funded through the FEFP and other provisions of the GAA.

What Problems or Concerns May Arise as a Result of this New Bill? Much like last year when there was a significant increase to the BSA but numerous new costs (e.g., \$15/hour minimum wage), there are many hidden costs in the \$552 increase to the BSA. Much of that amount is based on collapsing multiple categorical allocations into the BSA without eliminating the need to spend funds on those categories. It will be important to get the message out early about the true nature of the \$552 increase to the BSA.

Districts still need a reading plan and will now need to set aside funds for the purchase of instructional materials, so those funds in the BSA must be set aside in the budget. Also, the \$800 million in the BSA from the previous TSIA raises must be maintained. Districts are also facing massive increases in their FRS employer contribution rates, which will come from the BSA, not to mention significant increases in property and casualty insurance, health insurance, utilities, and charter distributions (particularly capital outlay funds).

<u>Creates</u>: N/A.

Amends: N/A.

Companion Bill: HB 5001

FEFP (1st Calc)

General Appropriations Act 2023-24 (post-approval, after line-item vetoes)

SB 2502 (Ch. 23-240) Implementing the 2023-24 GAA

Effective Date: July 1, 2023
Approved by Governor: June 15, 2023

What Does the Bill Do? The Implementing Bill enacts provisions necessary to execute the GAA, but the enacted provisions are effective only for the 2023-24 fiscal year. For example, the implementing bill incorporates by reference the FEFP report linked above in the discussion about the GAA. Also, for reasons that are not clear, the Implementing Bill includes the same changes to the Open Door Grant Program that are made in SB 240, discussed above. The only real substantive provision for school districts involves VPK, where a portion of section 1002.68, F.S., is repealed for the upcoming year. Paragraph (5)(a) is stricken for the 2023-24 fiscal year. It provides:



(5)(a) If a public school's or private prekindergarten provider's program assessment composite score for its prekindergarten classrooms fails to meet the minimum program assessment composite score for contracting adopted in rule by the department, the private prekindergarten provider or public school may not participate in the Voluntary Prekindergarten Education Program beginning in the consecutive program year and thereafter until the public school or private prekindergarten provider meets the minimum composite score for contracting. A public school or private prekindergarten provider may request one program assessment per program year in order to requalify for participation in the Voluntary Prekindergarten Education Program, provided that the public school or private prekindergarten provider is not excluded from participation under ss. <u>1002.55(6)</u>, <u>1002.61(10)(b)</u>, <u>1002.63(9)(b)</u>, or paragraph (5)(b) of this section. If a public school or private prekindergarten provider would like an additional program assessment completed within the same program year, the public school or private prekindergarten provider shall be responsible for the cost of the program assessment.

However, other than that, there really isn't anything of interest for school districts.

Who Is Responsible for or Affected by the Bill? District VPK personnel may be affected, as certain timelines are extended while the assessment process for VPK continues to develop.

**How Will the Bill Be Implemented?** There is nothing for districts to implement in this bill.

Required Rulemaking? N/A.

Required Reports? N/A.

Required Training? N/A.

**Does the Bill Apply to Charter Schools?** Yes.

What Problems or Concerns May Arise as a Result of this New Bill? N/A.

Creates: N/A.

Amends: Sections 1002.68 and 1009.895, Florida Statutes.

Companion Bill: HB 5003



**HB 5101 (Ch. 23-245)** Education (Conforming Bill)

Effective Date: July 1, 2023
Approved by Governor: June 15, 2023

What Does the Bill Do? This law makes numerous changes to statutory provisions to conform them to the GAA. Unlike the one-year changes made in the Implementing Bill, the changes made in the Conforming Bill are permanent. There are a significant number of substantive changes made in this bill, which has 54 sections and is 139-pages long, but most of them are related to the re-working of the FEFP.

## School Board Authority over D and F Schools

One of the most significant changes enacted in this law addresses school board authority over D and F schools. Currently, section 1001.42(21), F.S., provides that school boards can negotiate into their contract with the union special provisions to free D and F schools from contract restrictions so that programs and strategies can be employed to address the educational emergency at the school. Then, section 1012.2315, F.S., further addresses the issue with provisions about entering into a memorandum of understanding (MOU) with the union about the selection, placement, and expectations of instructional personnel at those schools, as well as possible salary incentives.

Now, the law has removed the issue from collective bargaining altogether. Section 1001.42(21), F.S., will now read:

To free schools with a school grade of "D" of "F" from contract restrictions that limit the school's ability to improve student performance, a district school board may adopt salary incentives or other strategies that address the selection, placement, compensation, and expectations of instructional personnel and provide principals with the autonomy described in s. 1012.28(8). . . . Notwithstanding chapter 447, relating to collective bargaining, a district school board may:

- (a) Provide salary incentives that differentiate based on a teacher's certification, subject area taught, or grade level taught. Such incentives are not subject to collective bargaining requirements.
- (b) Notwithstanding s. 1012.2315, relating to assignment of teachers, adopt strategies to assign high-quality teachers more equitably across schools in the district to low-performing schools as a management right. Such strategies are not subject to collective bargaining requirements.

This should allow districts to respond more rapidly and in a more targeted way to schools that are struggling with their school grades. For example, a district could decide to pay a significant bonus or other type of incentive to highly effective 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup> grade teachers who are new to the school without getting bogged down in negotiations where there might be a demand to pay all the instructional personnel at the school the same incentive, including those who do not



affect the school grade as directly. The SBE has been adamant over recent years about the urgency they expect districts to demonstrate when a school is struggling, and this should make it easier to do just that.

# Salary Schedules

The conforming bill repeals the language that restricted many districts' efforts to address teacher salary compression issues even after they reached \$47,500. The following was stricken from the law:

Beginning July 1, 2021, and until such time as the minimum base salary as defined in s. 1011.62(14) equals or exceeds \$47,500, the annual increase to the minimum base salary shall not be less than 150 percent of the largest adjustment made to the salary of an employee on the grandfathered salary schedule. Thereafter, the annual increase to the minimum base salary shall not be less than 75 percent of the largest adjustment for an employee on the grandfathered salary schedule.

Thus, with the GAA and the new subsection 1011.62(14), F.S., replacing the TSIA with CTOIPS, both saying the funds can be used one of two ways without further restrict, school districts may get the opportunity to decompress their salary schedules and reward veteran teachers.

#### Comprehensive System of Reading Instruction

With the repeal of the Evidence-Based Reading Instruction Allocation and collapsing of those funds into the BSA, this law creates section 1003.4201, F.S., to establish each district's responsibilities with respect to reading instruction. In essence, a reading plan is still required, as it was with the allocation, but it is now separate from any specific allocation or funding.

There are not many significant changes to what was required with the reading allocation. Districts must implement a system of comprehensive reading instruction for students in Pre-K through grade 12, as well as for students who exhibit substantial deficiencies in early literacy. Districts must develop for school board approval a detailed reading instruction plan that outlines all the components of the district's comprehensive system of reading instruction. The plan must include all public schools in the district, including charter schools, unless the charter school elects to adopt its own plan.

#### Reading plans can include:

- 1. Added time to the school day.
- 2. Highly qualified reading coaches
- Professional development to help instructional personnel earn a certification, credential, endorsement, or advanced degree in scientifically researched and evidence-based reading instruction.
- 4. Summer reading camps.
- 5. Incentives for instructional personnel and certified Pre-K teachers who possess a reading certification, endorsement, or micro-credential.
- 6. Tutoring in reading.



The district's reading plan must also include the expected expenditures for each component of the plan, which essentially requires each district to recreate the reading allocation that used to be part of the FEFP.

The plan, including approved plans from any charter schools that adopted their own plan, must be submitted to the DOE by August 1<sup>st</sup> each year. The DOE will then review the plan, conduct site visits, and collect data on reading improvement results. Then, by February 1<sup>st</sup> of each year, the DOE will report its findings to the Legislature and SBE, along with any recommendations for improving implementation of evidence-based intensive reading and intervention strategies in the classroom.

#### Mental Health Assistance Program

Just as reading plans were moved out of section 1011.62, F.S., where most of the categorical allocations are established, this law also moves the substantive mental health plan provisions out of 1011.62, F.S., and into a new section 1006.041, F.S. However, while the Reading Instruction Allocation was collapsed into the BSA, the Mental Health Assistance Allocation still exists separately. Substantively, the requirements remain the same as before. Most of what was in section 1011.62(13), F.S., was simply moved to section 1006.041, F.S. All of the policies, procedures, planning, and reporting requirements remain the same.

#### Florida Teachers Classroom Supply Assistance Program (TCSAP)

With the categorical funding for the TCSAP collapsed into the BSA, the amount of the annual award will be determined each year by the Legislature in the GAA. This year, the amount is set at \$300. Also, the DOE is empowered to administer a competitive procurement to allow teachers to purchase classroom materials and supplies. All of the language that used to prescribe how the categorical was to be calculated and distributed has been repealed. However, districts must now report annually to the DOE by September 1<sup>st</sup> the name of each eligible teacher, the proportionate share based on the set amount of the award in the GAA for eligible job-share classroom teachers, the name and Master School Identification Number of the school in which each eligible teacher is assigned, and any other information necessary for the administration of the program as determined by the DOE.

#### Categorical School Funds

Section 1011.62, F.S., undergoes a substantial rewrite in HB 5101, as this is where most of the changes to the FEFP are enacted, such as the change from district cost differential to comparable wage factor (CWF). As mentioned in the GAA discussion above, the CWF is only used as a multiplier if it is greater than 1.000. The law also eliminates several categorical allocations, including the Sparsity Supplement, the Evidence-Based Reading Instruction Allocation, and the Turnaround School Supplemental Services Allocation. The Instructional Materials Allocation was codified in section 1011.67, F.S., which has been repealed in its entirety (but see below).

First, the statutory language that created a cap on Group 2 enrollment, which primarily affected districts with large increases in ESOL student enrollments, was eliminated. There are no more



enrollment ceilings for the two groups. Next, there are some revisions to the language for ESE student funding and small district ESE funding (districts with fewer than 10,000 students and fewer than three (3) matrix IV or V students).

Also, there is a newly-created small district factor, which was mentioned in the discussion of the GAA above. This essentially replaces Sparsity, and it ensures that small districts in fiscally constrained counties are not negatively affected by the other changes to the FEFP. The GAA set the small district factor at 1.027 this year, and, as a result, it does not appear that any district with less than 20,000 students in a fiscally constrained county will receive less than the statewide average 4.91% increase in funds per unweighted FTE student.

Next, there is a State-Funded Discretionary Contribution and a State-Funded Discretionary Supplement. Both are calculated based on a district's 0.748 discretionary millage for operations. The former is established to provide equivalent funding to lab schools and FLVS. The latter is created to do the same for vouchers.

As has been mentioned, the FEFP no longer includes the Supplemental Academic Instruction Allocation (SAI). Instead, there is now the Educational Enrichment Allocation (EEA). The base level for the EEA is established this year. In future years, funding for the EEA will consist of the base funding level plus a workload adjustment based on changes in enrollment. The EEA is for districts to provide "educational enrichment activities and services that support and increase the academic achievement of students in grades kindergarten through 12." The activities and services may be provided "at any time during or beyond the regular 180-day term identified by the school district as being the most effective and efficient way to best help the student progress from grade to grade and graduate from high school."

For district-managed turnaround schools, turnaround schools under contract with an outside entity, and those that have just exited turnaround status with a C, the EEA includes an additional \$500 per unweighted FTE student enrolled at the eligible schools. These funds can be used for tutoring, after-school programs, student and parent counseling, nutrition education, an extended school day, or an extended school year. The funds can also be used for services that "include models that develop a culture that encourages students to complete high school and to attend college or career training, set high academic expectations, and inspire character development." Districts can also enter into contracts with non-profit organizations to implement support services models that include wrap-around services, such as after-school programs, drug prevention programs, food and clothing banks, and college and career readiness programs.

Next, the Teacher Salary Increase Allocation (TSIA) is renamed the Classroom Teacher and Other Instructional Personnel Salary Increase (CTOIPS). It is no longer a separate allocation, but it will still be specifically apportioned. The funds must be used to increase the minimum teacher salary to \$47,500/year "or to provide salary increases to instructional personnel . . . in a manner that best meets the needs of the school district or charter school." These provisions do not apply to substitute teachers. Districts still need to submit their approved salary distribution plan by October 1<sup>st</sup>, but they now will report annually, beginning August 1, 2024, a summary of the prior year's expenditures. This replaces the current reporting requirement that



was due on December 1<sup>st</sup> each year. If a collective bargaining impasse prevents a district from being able to submit the August report, the district must submit a report detailing the reasons for the impasse and a proposed timeline for resolution.

With respect to flexibility and categorical funding, section 1011.62(17), F.S., now provides, "If a district school boards determines that some or all of the funds received for any of the categorical programs established in this section are needed to maintain or enhance school board-specified academic classroom instruction, maintain or expand career or technical education instruction, or improve school safety, the school district may consider and approve an amendment to the school district's operating budget by transferring the identified amount of the categorical funds to the appropriate account for expenditure." If a district takes advantage of this, it must include the details in its annual financial report to the DOE. The DOE will specify the format for this, and it will then make an annual report to the Legislature identifying all of the transfers made in the past year statewide.

As was mentioned above, this law also establishes the Educational Enrollment Stabilization Program, which "is created to provide supplement state funds as needed to maintain the stability of the operations of public schools in each school district and **to protect districts**, **including charter schools, from financial instability as a result of changes in full-time equivalent student enrollment** throughout the school year." The 2023-24 GAA appropriates \$350 million for this fund.

#### Safe Schools

This law moves the requirement that districts annually report to the Office of Safe Schools by October 15<sup>th</sup> "that all public schools within the school district have completed the FSSAT," which is the Florida Safe Schools Assessment Tool. This requirement used to be in section 1011.62, F.S., with the Safe Schools Allocation, but it is now located in section 1006.1493, F.S., which establishes the FSSAT and its requirements.

#### **Instructional Materials**

This law creates a definition for a "library media center" in section 1006.28, F.S., which governs the selection of instructional materials in school districts. The term is defined to mean "any collection of books, ebooks, periodicals, or videos maintained and accessible on the site of a school, including in classrooms." This essentially brings the law in line with the SBE rule adopted during the previous school year that included classrooms within the definition of a school media center.

The law also adds a new duty for superintendents. They are already required to recommend plans for providing instructional materials to schools and to notify the DOE by April 1<sup>st</sup> of each year which state-adopted instructional materials will be purchased by the district. Now, they will also need to certify to the Commissioner each year by August 1<sup>st</sup> "that the district school board has approved a comprehensive staff development plan that supports fidelity of implementation of instructional materials programs, including verification that training was provided, that the materials are being implemented as designed, and that core reading materials and reading intervention materials used in kindergarten through grade 5 meet the



requirements of s. 1001.215(8). Such instructional materials, as evaluated and identified pursuant to s. 1001.215(4), may be purchased by school districts without undergoing the adoption procedures in s. 1006.40(4)(b)." Section 1001.215 sets for the powers and duties of the Just Read, Florida! Office, including the power to identify scientifically researched and evidence-based reading instructional and intervention programs.

The law also amends section 1006.40, F.S. Under current law, the Commissioner is required to certify to superintendents by July 1<sup>st</sup> each year the estimated amount of instructional materials funds the district will receive in the upcoming year. Now, because the categorical is gone with the repeal of section 1011.67, F.S., the situation is reversed. Superintendents will now have to certify to the Commissioner by July 1<sup>st</sup> each year how much he or she estimates the district will allocate for instructional materials for the upcoming year. Then, instead of being able to use up to 50% of the state's allocation for library books and other supporting materials, the district will now be able to spend up to 50% of what it has budgeted for instructional materials. Thus, instead of the state establishing a specific categorical allocation, each district will now have to create one on its own from its BSA funds. On the other hand, with the elimination of the categorical, districts will no longer have restrictions with respect to purchase orders based on the time of the year and the current year's instructional materials allocation.

# **Dual Enrollment**

Section 1007.271, F.S., is amended to add that "[s]chool distircts shall pay for the cost of instructional materials for public high school students who are earning credit toward high school graduation under the dual enrollment program." This statutory change is not mentioned in the legislative staff analysis, but it is hoped that this would not require districts to pay for the instructional materials of charter school students in a dual enrollment program.

#### Enrollment fees for summer programs

This law also adds to the supplemental powers of district school boards in section 1001.43, F.S. It allows boards to establish a fee for any K-12 student for enrollment in a voluntary, noncredit summer school basic program course. However, the fee "shall be based on the ability of the student to pay such fee as determined by district school board policy." This is another provision from HB 5101 that is not mentioned in the staff analysis.

#### <u>Heroes in the Classroom Bonus</u>

The law creates section 1012.715, F.S., which establishes a sign-on bonus for veterans and retired first responders who commit to becoming a full-time classroom teacher, and an additional bonus is available to those who agree to teach in a high-demand teacher need area. The DOE will adopt rules and implement the program, including determining which courses are most in need and, thus, eligible for the additional bonus. School districts are required to provide "any necessary information requested by the [DOE]." Also, they are required to notify the veteran or retired first responder that employment with the district may affect his or her pension from a previous employer. The DOE is required to establish the manner in which districts will provide this notice. Finally, the GAA set aside \$10 million in nonrecurring funds to support this initiative.



#### Florida School for Competitive Academics

This law also establishes a new type of public school in Florida – the Florida School for Competitive Academics (FSCA), which will be located in Alachua County and serve grades 6-12 beginning in the 2024-25 school year. With respect to governance, the school will probably be most akin to the Florida School for the Deaf and Blind (FSDB), and the new sections of law created to establish the FSCA are located in the same part and subpart within Chapter 1011, F.S., as the FSDB. The FSCA will have a board of trustees (appointed by the Governor and confirmed by the Senate) and will have its own rulemaking authority, much like FSDB does. It will also submit budget requests annually and be funded in the GAA. For startup purposes this coming year, the GAA allocated \$4,013,302 to the school. There is also another \$20 million placed in reserve for the FSCA to purchase, lease, or renovate property for the school.

The FSCA's mission will be to serve students who meet selective admissions criteria in "an environment that will foster high academic engagement and advanced understanding of subject areas, develop productive work habits, build resiliency, connect students with industry leaders, and promote civic leadership." In addition to focusing on a rigorous STEM curriculum, it will have a secondary purpose to prepare students to compete in academic competitions.

In operation, the FSCA will resemble something of a cross between a magnet school and a charter school, but it will not be part of the FEFP. Its employees can participate in FRS, its teachers will be certified, and its employees will have to pass the same background checks as other public school personnel. However, much like a charter or an academically high-performing school district, it will not have to comply with most of the Education Code.

#### **Pronouns**

As a supplemental provision to the pronoun provisions enacted in HB 1069 (above), this law clarifies that the limitations and restrictions regarding pronoun usage only apply when an employee is acting within the course and scope of their employment with the school.

#### **Virtual Programs**

This law eliminates the restriction set last year to limit enrollment for non-district students in a virtual school to 50% of the in-district virtual students. The limit will now be the number of students who can be funded from state FEFP funds.

#### FEFP Funding for Other Schools and Vouchers

For all virtual schools, including charters, the law establishes that their funding will include all FEFP funds except for the Educational Enrichment Allocation, Safe Schools Allocation, the State-Funded Discretionary Supplement, Transportation funding, and Class-size funding.

For the calculation of vouchers under FES-EO, the award is the amount a student would get in the basic program plus a full-time equivalent share of the State-Funded Discretionary Supplement, the Educational Enrichment Allocation, and the Discretionary Millage Compression Supplement. For students receiving an FES-UA voucher, who is matrix level I-III, it is the same plus the ESE Guaranteed Allocation. If the student is matrix level IV or V, the voucher is based



on the group 2 base rate for the matrix level, plus the same three categoricals included with the FES-EO, but not the ESE Guaranteed Allocation.

<u>Who Is Responsible for or Affected by the Bill?</u> This bill affects all stakeholders in public education. It covers many different topics, but it specifically enacts fundamental changes to the FEFP.

How Will the Bill Be Implemented? School boards with D and F schools will want to get started on their plans for those schools without needing to wait for collective bargaining or an MOU. On the other hand, they should also seek to get started with salary negotiations as quickly as possible now that so many of the restrictions that have delayed negotiations the last few years due to salary compression issues have been removed. The SBE has been adamant the last couple of years that it expects the funds specifically designated for teacher salaries to be in the teachers' hands by October 1st or as early as possible. There are still many unknowns ahead with the expansion to universal vouchers, but the Educational Enrollment Stabilization Program, and desire to avoid proration negatively affecting districts, should make it a little easier this year for districts to know what funds, if any, they have available for employee salaries. For districts that may have full-book negotiations this coming year, it may also be wise to push the union to bifurcate salaries and language so that salary increases can be implemented as early as possible.

Also, districts will need to look to DOE for guidance as to all the new reporting and certification requirements. There are new annual reports or certifications due July 1<sup>st</sup>, August 1<sup>st</sup>, September 1<sup>st</sup>, and October 15<sup>th</sup>.

Perhaps most importantly, district finance officers will need to carve out funds that used to come to the district as a specific categorical. Instructional materials, reading plans, maintenance of teacher salary increases, \$300 for each eligible teacher for the classroom supply fund, and other required expenditures need to be identified and reserved during the budgeting process.

**Required Rulemaking?** The newly created Board of Trustees for the Florida School for Competitive Academics is granted rulemaking authority similar to the rulemaking authority of school districts or the Florida School for the Deaf and Blind.

The SBE is given rulemaking authority to implement the Heroes in the Classroom Bonus program. It may also need to adopt rules to establish what other information it deems necessary for districts to report regarding the Teacher Classroom Supply Assistance Program. Similarly, it may need to adopt a rule to establish what information districts are required to provide regarding the Heroes in the Classroom program, as well as the manner in which districts are to notify eligible veterans and retired first responders about the potential impact on their pensions from a previous employer.

School boards, which will no longer be receiving a designated allocation for instructional materials, will now have to determine each year how much they will set aside for the upcoming year. They may want to adopt a policy to guide this process or authorize the superintendent to



make the required notification to the Commissioner by July 1<sup>st</sup>, which is several weeks before the district budget will be adopted.

Districts that elect to offer voluntary, noncredit summer school in basic program courses will need to adopt the fees for the program, including a policy for determining the fee based on the student's ability to pay.

Required Reports? There are several new reporting or certification requirements established in this law, and many existing reporting requirements were modified or moved. For example, districts still must annually report to the Office of Safe Schools by October 15<sup>th</sup> that all public schools in the district have completed the FSSAT, but the statutory requirement was moved.

Superintendents must annually certify to the Commissioner by August 1<sup>st</sup> that the school board "has approved a comprehensive staff development plan that supports fidelity of implementation of instructional materials programs, including verification that training was provided, that the materials are being implemented as designed, and that core reading materials used in kindergarten through grade 5 meet the requirements of s. 1001.215(8)." On the same day, districts must also submit their comprehensive reading plans to the DOE.

Superintendents also must annually certify to the Commissioner by July 1<sup>st</sup> the district's estimated allocation of state funds for instructional materials. Also, districts are now required to report annually to the DOE by September 1<sup>st</sup> the required information about eligible classroom teachers and the Teacher Classroom Supply Assistance Program.

Finally, while districts are still required to submit their salary distribution plans to the DOE by October 1<sup>st</sup> each year, they will now also have to submit annually, beginning August 1, 2024, a report on the prior year's expenditures of the CTOIPS (fka TSIA) funds. The DOE will prescribe the format for this report, but it must include the amount spent on raising the minimum teacher salary, as well as the salary schedules showing the increases. Charter schools are required to submit the same information to districts for inclusion in the district's annual report.

Required Training? It is not necessarily a new training requirement, but, as mentioned above, Superintendents are required to certify by August 1<sup>st</sup> each year that the school board has "approved a comprehensive staff development plan that supports fidelity of implementation of instructional materials programs, including verification that training was provided."

Also, the mental health assistance program requirements were moved, but there is still the requirement that district mental health assistance programs include "training classroom teachers and other school staff in detecting and responding to mental health issues and connecting children, youth, and families who may experience behavioral health issues with appropriate services."

**Does the Bill Apply to Charter Schools?** Yes.

What Problems or Concerns May Arise as a Result of this New Bill? It is concerning that the FEFP – the model for funding public schools that has been used for the last 50 years – was



significantly modified to better serve the needs of less than 10% of the students served by it. Opponents to the rapid expansion of the voucher programs have often argued that it does not make sense for a private school to receive the same funds that a district receives when a private voucher school is not required to spend any of those funds on the same categorical restrictions imposed on the districts. Many of the changes made to the FEFP this year appear to be a way to address those concerns. However, as discussed above with the GAA and below with SB 7024, eliminating several categorical allocations without eliminating the underlying requirements that came with those funds does not really create any additional flexibility for districts. It also does not really address the argument that district schools are the only schools funded under the FEFP with countless restrictions imposed on them to receive the same funds that are sent to other schools with few, if any, restrictions.

In fact, this collapsing of several categorical allocations without eliminating the underlying restrictions may just cause confusion for parents and other stakeholders, as they may see a significant increase to the BSA, and district funding overall, without realizing that districts still must carve out what was the TSIA, TCSAP Allocation, Reading Instruction Allocation, and Instructional Materials Allocation. On top of that, there are significant increases to FRS contribution rates, property insurance, utility rates, and more, which all must be accounted for and properly budgeted.

Still, there are a lot of provisions in this bill that are positive developments for school districts. The added authority to address D and F schools, as well as no longer being bound by highly-restrictive salary provisions governing the TSIA and all teacher salary negotiations, are two significant improvements.

<u>Creates</u>: Sections 1003.4201, 1006.041, 1011.58, and 1012.715, Florida Statutes.

**Amends**: Sections 1000.071, 1001.215, 1001.42, 1001.43, 1002.37, 1002.394,

1002.45, 1006.07, 1006.1493, 1006.28, 1006.40, 1007.271, 1011.62,

1012.22, and 1012.71, Florida Statutes.

**Repeals**: Section 1011.67, Florida Statutes.

**Companion Bill**: N/A.

Final Legislative Analysis

SB 7024 (Ch. 23-193) Retirement

Effective Date: June 5, 2023 (changes to DROP length)

July 1, 2023 (new employer rates, DROP interest)

Approved by Governor: June 5, 2023

<u>What Does the Bill Do?</u> Each year, the Legislature adjusts the FRS employer contribution rates. The same is true this year, but there were also significant changes made to the retirement system as a whole, particularly with respect to DROP.



#### Deferred Retirement Option Program (DROP)

Effective upon becoming law, this bill makes significant changes to DROP, which should help districts retain employees. First, the maximum allowable period for DROP is extended from 60 to 96 months for all FRS employees. For instructional personnel, who previously could extend their DROP period up to 36 months, they will be able to extend their DROP period up to 24 months beyond the new eight-year limit (until June 30, 2029). Both instructional and administrative personnel also retain the option to extend their DROP period to "the last day of the last calendar month of the school year," if their DROP termination date occurs before the end of the year.

At the time this is being written (June 1, 2023), the bill is awaiting the Governor's signature. It is not clear whether employees who worked their last day in May or before the bill was signed will be able to extend their DROP for up to three (3) more years. FADSS staff has been in contact with Senate staff, and answers are being sought, but eligibility determinations should be based on direct word from FRS.

Another significant change to DROP concerns the time frame for employees to choose to enter it. Currently, most employees have a 12-month window to enter DROP after they reach their normal retirement date (30 years of service and age 57 for regular class members). If they do not enter DROP during that window, they lose the opportunity to participate in DROP. The only exception was for instructional personnel who could choose to enter DROP at any time after they reached their normal retirement date. Now, all employees can choose to enter DROP at any time after their normal retirement date. The 12-month window is gone. This will eliminate the difficult choice many employees had to make when they had to choose to enter DROP before they were ready so that they would not lose out on the significant financial benefits associated with the program.

Finally, beginning July 1, 2023, the law increases the interest rate on the employee's DROP fund from 1.3% to 4%, which brings the interest rate much closer to where it was (6.5%) before July 1, 2011.

#### FRS Rates (Pension Plan)

In addition to the annual adjustments made pursuant to actuarial studies, these significant changes to DROP also require an increase to employer contribution rates. Originally, the Legislature proposed an increase of 0.67 percentage points for regular class employees, which would have been relatively modest compared to the last few years. The legislative staff analysis at the time estimated that this would cost districts roughly \$114 million overall. However, after all the changes to DROP, the actual increase to employer FRS rates for regular class employees increased 1.32 percentage points. However, the final legislative analysis estimates that this increase will cost districts the same \$114.3 million, where it would seem more likely that the cost would nearly double to something more like \$225 million.



Membership Class	"Blended" Normal Costs 7/01/22	"Blended" Normal Costs 7/01/23	Unfunded Actuarial Liability 7/01/22	Unfunded Actuarial Liability 7/01/23	Combined Rates 7/01/22	Combined Rates 7/01/23	Total
Regular	5.96%	6.73%	4.23%	4.78%	10.19%	11.51%	1.32%
Special Risk	16.44%	18.66%	9.67%	11.95%	26.11%	30.61%	4.50%
Special Risk Admin Class	10.77%	11.54%	26.16%	26.22%	36.93%	37.76%	0.83%
Elected Officers							
Leg/Gov/ SAO/PD	9.31%	10.45%	56.76%	50.21%	66.07%	60.66%	-5.41%
Judges	14.41%	14.90%	27.64%	27.93%	42.05%	42.83%	0.78%
County Officers	11.30%	12.39%	43.98%	44.23%	55.28%	56.62%	1.34%
Senior Management	7.70%	8.56%	22.15%	23.90%	29.85%	32.46%	2.61%
DROP	7.79%	8.49%	9.15%	10.64%	16.94%	19.13%	2.19%

#### FRS Rate (Investment Plan)

The law also increases the employer contribution rate for investment plan members by two (2) percentage points, raising the overall contribution percentages from 9.3% to 11.3%, which includes the 3% employee contribution.

#### Retiree Health Insurance Subsidy

Beginning July 1, 2023, this new law also amends the retiree health insurance subsidy from a multiplier of \$5 per year of creditable service (maximum \$150/month) to \$7.50 (maximum \$225/month). As a result, the employer contribution rate went from 1.66%, where it has been since July 1, 2015, to 2.0%. The Legislature estimated that this increase would cost school districts approximately \$54.3 million statewide.

#### Special Risk Class

For districts with a significant number of special risk class employees, the law rolls back the normal retirement date for these members to where it was before 2011 (25 years of service, age 55).

Who Is Responsible for or Affected by the Bill? All employees are affected, particularly those who are in or about to enter DROP. Although instructional personnel already had the option to enter DROP at any time after they became eligible and did not have the same 12-month window to use it or lose it, all other district employees will now have the same option. This should help with principals and bus drivers and others who turn 57 and have been forced to enter DROP so that they do not lose out on the significant financial rewards offered. They will now be able to choose to enter DROP when they are ready.



<u>How Will the Bill Be Implemented?</u> Finance officers will need to account for the significant increase in costs associated with this law. If the FADSS estimate of a \$379 million cost for school districts is accurate, that is roughly \$122.45 per FTE student.

Required Rulemaking? N/A.

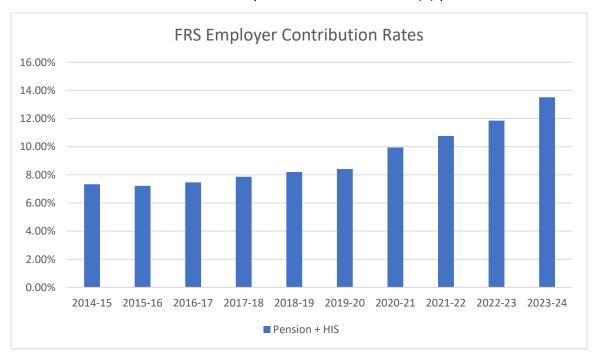
Required Reports? N/A.

Required Training? N/A.

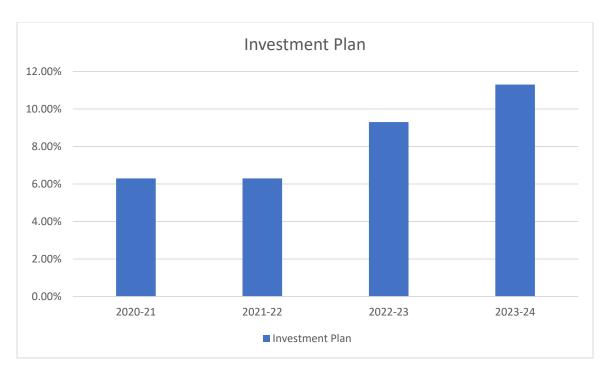
<u>Does the Bill Apply to Charter Schools?</u> No, unless the charter school is a public employer that participates in FRS.

What Problems or Concerns May Arise as a Result of this New Bill? While the changes to DROP, including the extension from five (5) years to eight (8) and the elimination of the 12-month entrance window, are exceedingly welcome changes for districts struggling to fill vacancies, the annual increase to FRS rates for districts, which operate on a fixed income, is very troubling. Although the final legislative staff analysis estimates a total cost to school districts of \$268 million, FADSS estimates that it is probably closer to \$379 million.

The hidden costs of doing business for school districts are difficult for most people to grasp, and when people only refer to an increase in district revenue without mentioning an equal or sometimes greater increase in fixed costs, it can create a false impression. While the annual changes used to be minor, districts are paying almost twice as much for regular class pension plan employees now than they were 10 years ago, and most of that increase has been over the last five (5) years. Similarly, the contribution rate for investment plan employees was steady for more than a decade but has nearly doubled in the last two (2) years.







<u>Creates</u>: N/A.

<u>Amends</u>: Sections 112.363, 121.021, 121.052, 121.053, 121.055, 121.071, 121.091,

121.71, 121.72, 121.73, and 121.735, Florida Statutes.

**Companion Bill**: CS/CS/HB 239 (Busatta Cabrera and Casello)

**Final Legislative Analysis** 

HB 7063 (Ch. 23-157) Taxation
Effective Date: July 1, 2023
Approved by Governor: May 25, 2023

<u>What Does the Bill Do?</u> The annual tax bill covers a lot of topics, but this summary is focused solely on those that may directly affect districts or their stakeholders.

#### Sales Tax Referenda

Many school districts have had to seek voter approval of a school capital outlay surtax pursuant to section 212.055(6), F.S., to meet the capital needs of the district, particularly since the maximum capital outlay millage rate was lowered from 2.0 to 1.5 over a decade ago. Typically, these taxes remain in effect for 10-20 years, depending on the district's needs. As they near their end, districts often find themselves seeking to renew the tax. Rather than wait until the expiration year, it is often better to seek the renewal a couple of years prior to the expiration for budgeting and planning purposes. However, when one district attempted to do this recently, it met resistance from the county, which refused to put the issue on the ballot for the



current election. There was some resistance to the idea of districts having more than one opportunity to seek a renewal.

This new law adds some language to section 212.055(10), which already requires that any sales tax referenda be held at a general election. Now, that subsection will also provide, "A referendum to reenact an expiring surtax must be held at a general election occurring within the 48-month period immediately preceding the effective date of the reenacted surtax. Such referendum may appear on the ballot only once within the 48-month period."

Thus, if a district has a current surtax set to expire on December 31, 2028, it can seek reenactment only once during either the general election in 2026 or 2028. If the reenactment were to fail in 2026, the district would have to wait for the current surtax to expire and then seek to enact a new surtax after the expiration date. It would not have the option to try again in 2028.

#### Sales Tax Holidays

This coming fiscal year, there will be two school tax holidays, both of which will last for 14 days. The first is the traditional back-to-school tax holiday, which will be in effect from July 24, 2023, through August 6, 2023. The new school tax holiday will be in effect from January 1, 2024, through January 14, 2024. The holiday will apply to the same items that are traditionally exempt during the school tax holiday, including clothes, shoes, and backpacks that cost less than \$100, as well as school supplies that are less than \$50. Personal computers that cost up to \$1,500 are also exempt if they are purchased for personal use.

There are also two disaster preparedness sales tax holidays. The first is from May 27, 2023, through June 9, 2023, and then the second one is in effect from August 26, 2023, through September 8, 2023. During the second week of the second disaster preparedness sales tax holiday, there will also be a "Tool Time" sales tax holiday for items normally used by skilled trade workers. This may be information districts wish to share with their mechanics and other tradespeople.

Who is Responsible for or Affected by the Bill? District finance officers should be aware of the sales tax holidays and the anticipated effect on revenue if the district relies on a special surtax, like the school capital outlay surtax. They, along with the facilities team, should also be aware of the new restrictions on reenactment of a school capital outlay surtax if the current surtax is set to expire soon.

<u>How Will the Bill Be Implemented?</u> There is not much to implement here unless the district has a current school capital outlay surtax, in which case there should be a plan in place for reenactment, if that is what the district intends to do. It would seem to make better sense to seek reenactment a couple of years before the current surtax is set to expire to help with budgeting and facility planning. However, each locality is different, and there may also be an issue with overlap with a four-year operational millage referendum.

Required Rulemaking? N/A.

**Required Reports?** N/A.



Required Training? N/A.

**Does the Bill Apply to Charter Schools?** No.

What Problems or Concerns May Arise as a Result of this New Bill? While it might be nice to get a second shot at reenacting a surtax if the first vote fails, there is nothing inherently concerning about limiting reenactment to a single vote.

<u>Creates</u>: N/A.

<u>Amends</u>: Section 212.055, Florida Statutes.

Companion Bill: SB 7062

Final Legislative Analysis



## New Rulemaking, Reporting, or Training Requirements

Chapter 120, F.S., governs the adoption of school board rules/policies when the school board is implementing a power or responsibility delegated to it by the Legislature. Please remember that it does not matter what something is called (e.g., rule, policy, procedure, guideline, regulation, etc.). If it meets the definition of a rule under section 120.52, F.S., then it is a rule and must be adopted pursuant to sections 120.54 and 120.81, F.S.

Please also note that this may not be a complete list of new or amended rulemaking, reporting, and training requirements. The list was compiled primarily by searching for every use of the words "adopt," "report," "certify," and "train" in the new laws. The Legislature is not always consistent with its use of terminology, so there may be some other terms used such as "establish" or "notify." Much of what is set forth below is also covered above in the broader discussion of each new law.

CS/CS/HB 7039 (Ch. 23-108) Student Outcomes

By: Representative Trabulsy

Effective Date: July 1, 2023
Approved by Governor: May 17, 2023

Required Rulemaking? There are no new rulemaking requirements in this law, but both the SBE and individual districts may need to amend existing rules and policies to reflect these changes. This may include student progression plans and policies, school improvement policies or any other policy that may address an early warning system, promotion and retention policies, progress monitoring and remediation policies, parental notification policies, and others that may address issues involving substantial reading or mathematics deficiencies.

<u>Required Reports?</u> Districts must still submit an annual comprehensive reading plan as part of the Reading Allocation. The plan shall now include a description of "how the district prioritizes the assignment of highly effective teachers . . . to kindergarten through grade 2 and how reading coaches are assigned to individual schools." Furthermore, these two new provisions "shall be approved by the Just Read, Florida Office."

**Required Training?** Elementary teachers and administrators, reading coaches, and others will need to be advised of all the new changes. For those schools who will be switching from three-cueing to the Science of Reading, there may be additional training needs. There is not much change to the actual process of addressing students with substantial deficiencies, but many of the details have changed on top of adding mathematics deficiencies to the equation.



CS/CS/HB 19 (Ch. 23-96) Individual Education Plans

By: Representative Tant

Effective Date: July 1, 2023
Approved by Governor: May 17, 2023

**Required Rulemaking?** The SBE is required to adopt rules to implement these new

provisions.

Required Reports? N/A.

<u>Required Training?</u> The ESE department will need to make sure that ESE teachers and case managers at every school with high school students are updated on this new requirement and prepared to discuss the issue.

CS/SB 290 (Ch. 23-91) Public School Student Progression for Students

with Disabilities

By: Senator Jones
Effective Date: July 1, 2023
Approved by Governor: May 17, 2023

Required Rulemaking? No new rulemaking is required, but the SBE may need to amend certain rules, such as Rule 6A-6.053, F.A.C. (District K-12 Comprehensive Evidence-Based Reading Plan).

**Required Reports?** N/A.

**Required Training?** District ESE departments will need to advise principals and PreK ESE teachers about this new provision.

HB 795 (Ch. 23-281) Private Instructional Personnel

By: Representative Tant

Effective Date: July 1, 2023
Approved by Governor: June 22, 2023

Required Rulemaking? N/A.

Required Reports? N/A.

Required Training? N/A.



CS/SB 196 (Ch. 23-89) Guidance Services on Academic and Career

**Planning** 

By: Senator Jones

Effective Date: July 1, 2023

Approved by Governor: May 17, 2023

**Required Rulemaking?** N/A.

Required Reports? N/A.

Required Training? N/A.

<u>CS/CS/SB 240 (Ch. 23-81)</u> Education (career and workforce education)

By: Senator Hutson

Effective Date: July 1, 2023

Approved by Governor: May 15, 2023

**Required Rulemaking?** There do not appear to be any new, mandatory rulemaking requirements for districts, but some of the changes may require modifications to existing policies.

The SBE will need to adopt rules for career centers offering associate of applied science and science degree programs. It may also need to amend Rule 6A-23.0042, F.A.C. (Work-Based Learning Standards), to implement the new requirement that every student in grades 9-12 has access to at least one (1) work-based learning opportunity.

Required Reports? The funding for industry certifications remains at \$1,000, unless the GAA has insufficient funds or says otherwise, but the DOE is now required to prepare an annual report for the Legislature (October 1st) detailing all the industry certifications awarded the previous year and separating them into three (3) tiers "based upon the anticipated average wages of all occupations to which each certification is linked on the Master Credentials List."

There are also new reporting requirements for the Florida Endowment Foundation for the Division of Vocational Rehabilitation, local workforce development boards, and the Florida Talent Development Council. Also, career centers that establish an associate in applied science or associate in science degree program will have an annual reporting requirement to the SBE, Commission, Legislature, and the Chancellor of the Division of Career and Adult Education. The SBE will review this report and its performance and compliance indicators, and it can require a career center to modify or terminate the program as a result. There is also a modified reporting requirement for institutions participating in the Open Door Grant Program. Finally, OPPAGA has until November 1, 2023, to issue its required report.



Required Training? N/A.

HB 265 (Ch. 23-98) High School Equivalency Diplomas

By: Representatives Plascencia and Lopez

Effective Date: July 1, 2023
Approved by Governor: May 17, 2023

**Required Rulemaking?** It does not appear that Rule 6A-6.0201 or any other SBE rule establishes a "passing" score for the GED practice test, so the SBE probably needs to adopt a rule to establish that "passing" score.

Required Reports? N/A
Required Training? N/A

CS/HB 379 (Ch. 23-36) Technology in K-12 Public Schools

By: Representative Yeager

Effective Date: July 1, 2023
Approved by Governor: May 9, 2023

**Required Rulemaking?** The SBE is required to adopt rules for the Internet safety policy and access to certain online sites and platforms. Then, school boards will also need to adopt a local Internet safety policy. School boards may also need to amend their student codes of conduct to address these new restrictions on social media and wireless communication devices.

**Required Reports?** N/A.

Required Training? Teachers may need some training on these new restrictions and their ability to designate an area for students to keep their wireless communication devices during class. They may also need to be reminded that students should not be using their phones during class time unless the teacher has directed them to do so for educational purposes.



CS/HB 551 (Ch. 23-103) Required African-American Instruction

By: Representatives Benjamin and Fine

Effective Date: July 1, 2023
Approved by Governor: May 17, 2023

**Required Rulemaking?** The SBE will need to adopt a rule establishing what evidence it will require from districts when they annually submit proof that they are teaching the history of African-Americans appropriately. It may also need to amend its rule for district implementation plans to cover all topics of required instruction.

Required Reports? Districts will need to submit an annual certification and supporting evidence that they are teaching the history of African-Americans as required by law. The nature of this certification and evidence submission will be determined by the DOE. Districts will also have to prepare, post on their websites, and submit to the DOE an implementation plan for all of the topics of required instruction in section 1003.42, F.S., not just the health and character development topics currently required by rule. The implementation plan will need to include "[t]he methods in which instruction will be delivered for each grade level[,] [t]he professional qualifications of the instructional personnel[, and a] description of the instructional materials." The Commissioner or DOE will then notify a district if the implementation plan does not meet the requirements of the law, at which point the district will have at least 45 days to submit revisions to the plan. Failure to comply or adopt an adequate implementation plan may subject the district to enforcement action by the SBE.

**Required Training?** No new training is required, but districts may need to address their current training for teachers and staff with respect to delivery of the topics of required instruction. Also, adoption of the required implementation plan may require training instructional staff if the plan differs from current practice.

CS/HB 389 (Ch. 23-100) Menstrual Hygiene Products in Schools

By: Representative Skidmore

Effective Date: July 1, 2023
Approved by Governor: May 17, 2023

**Required Rulemaking?** N/A.

Required Reports? N/A.

**Required Training?** N/A.



CS/SB 478 (Ch. 23-168) Early Childhood Music Education Incentive

**Program** 

By: Senator Perry Effective Date: May 30, 2023 Approved by Governor: May 30, 2023

The SBE had rulemaking authority to implement the pilot program but did not adopt any rules during the pilot period. Instead, everything was handled through the grant process. The SBE retains rulemaking authority for the now-permanent program and may need to adopt rules and forms, such as the application and annual certification forms.

Required Reports? N/A.

Required Training? N/A.

**CS/CS/CS/HB 1537 (Ch. 23-39)** Education

By: Representative Rizo

Effective Date: July 1, 2023 (Concordant Scores effective May 9,

2023)

Approved by Governor: May 9, 2023

Required Rulemaking? The SBE has rulemaking authority for implementing the year-round school pilot program (see HB 891, below). It is also required to establish concordant scores for the CLT for both Bright Futures and graduation requirements. The SBE also has new rulemaking authority over postsecondary educator preparation institutes, where the law previously left it to the Commissioner to review the programs and determine whether they would be approved to continue. Similarly, where the current law required the DOE to adopt "standards" for professional development certification and education competency programs, the law now requires the SBE to adopt rules for the approval and continued approval of professional learning certification programs.

Districts may need to amend their student codes of conduct, zero-tolerance policy, and student search policies to address some of these changes, such as the rebuttable presumption that a student broke up a fight to protect the health and safety of others and the right of students to possess and use over-the-counter headache medication.

**Required Reports?** The Commissioner must prepare a report for the Governor, Speaker of the House, and Senate President at the conclusion of the year-round school pilot project (see HB 891, below).

**Required Training?** Many of these changes will need to be disseminated to school personnel.



CS/CS/CS/HB 1 (Ch. 23-16) Education (universal vouchers)

By: Representatives Tuck and Plascencia

Effective Date: March 27, 2023 (s. 1012.56, teacher certification)

July 1, 2023 (all other provisions)

Approved by Governor: March 27, 2023

**Required Rulemaking?** Districts will need to amend their student progression plans, which most districts adopt through rulemaking, to remove references to the online course requirement for graduation. Also, transportation policies may need to be amended to reflect the greater flexibility in methods of transporting students. Other district policies that may address teacher certification, the transfer of records, cost per student station, and other topics covered in this law will need to be reviewed and possibly amended too.

The SBE may also need to amend its transportation rules, as the law now provides that it can adopt rules that are necessary to protect student health and safety, whereas the current law allows them to adopt rules that are necessary "or desirable in the interest of student health and safety." Any rules that may have been merely desirable but not necessary will need to be repealed. With respect to teacher certification rules, the SBE has already initiated the rulemaking process, approving changes to Rules 6A-4.002 and 4.004 to address the new five-year temporary certification and changes to both the GK and pedagogy requirements at its meeting on May 24, 2023. These rule changes should take effect in late June, depending on when they are filed with the Department of State.

<u>Required Reports?</u> There are numerous reporting requirements related to the voucher programs, but they are not required of districts. The current requirement that districts report all voucher students residing in the district has been transferred to the DOE.

<u>Required Training?</u> School registrars, or whoever is responsible for transferring student records, need to be advised that they will now have two (2) extra school days to send education records to a new school when a student leaves.

<u>CS/CS/HB 443 (Ch. 23-102)</u> Education (charter schools and more)

By: Representative Valdes

Effective Date: July 1, 2023
Approved by Governor: May 17, 2023

<u>Required Rulemaking?</u> The SBE is required to adopt a standard monitoring tool for sponsors when conducting annual reviews of charter schools. This will almost certainly be added to the incorporated forms in Rule 6A-6.0786, F.A.C.

**Required Reports?** Districts with charter schools will need to prepare an annual report to their charter schools about the services they render for the administrative fee, and this report



must also be submitted to the DOE by September 15<sup>th</sup> each year. Also, for districts with community schools, both the district and DOE will need to provide data to the Center for Community Schools for its required annual report.

**Required Training?** If they are not already doing so, districts that require charters to use certain systems, such as a student information system, need to train charter schools on the use of those systems. Also, once the standard monitoring tool is adopted, district staff engaged in annual site reviews of charters may need some training on the new instrument.

<u>CS/CS/HB 1259 (Ch. 23-69)</u> **Education** (charter school capital outlay funding)

By: Representative Canady

Effective Date: July 1, 2023
Approved by Governor: May 11, 2023

Required Rulemaking? N/A.

Required Reports? N/A.

Required Training? N/A.

<u>CS/HB 1035 (Ch. 23-38)</u> K-12 Teachers

By: Representative Gonzalez Pittman

Effective Date: July 1, 2023
Approved by Governor: May 9, 2023

Required Rulemaking? The SBE must adopt rules for the Dual Enrollment Educator Scholarship Program, the Teacher Apprenticeship Program, and the Heroes in the Classroom Bonus Program. It is also likely that the SBE will need to adopt rules for the special magistrate process for teacher complaints, similar to what was adopted following last year's HB 1557. Hopefully, the rule will include some limitations that will allow some of the more frivolous claims to be dismissed without the need for the appointment of a special magistrate.

Districts may need to look at their Student Code of Conduct and any policies involving classroom behavior or teacher authority.

**Required Reports?** There is no new reporting required by the Law.

There are no explicit requirements for new training here, but there may be some training requirements for those who will serve as mentor teachers for apprentices. Additionally, it may be necessary to work with principals and other school administrators on best practices for handling and processing disciplinary referrals.



<u>CS/HB 1125 (Ch. 23-165)</u> Interstate Education Compacts

By: Representatives Smith and Hunschofsky

Effective Date: July 1, 2023
Approved by Governor: May 26, 2023

**Required Rulemaking?** The commission of member states has rulemaking authority to implement the provisions of the compact.

Required Reports? N/A.

Required Training? N/A.

CS/HB 733 (Ch. 23-78) Middle School and High School Start Times

By: Representative Temple

Effective Date: July 1, 2023
Approved by Governor: May 12, 2023

**Required Rulemaking?** Districts may need to adopt or amend any relevant policies establishing school start times. They may also need to review their collective bargaining agreements in case school start times are covered in them as well.

Required Reports? N/A.

Required Training? N/A.

HB 891 (Ch. 23-66) Year-round School Pilot Program

By: Representative Williams

Effective Date: July 1, 2023
Approved by Governor: May 11, 2023

**Required Rulemaking?** The SBE has the authority to adopt rules to administer the

program.

<u>Required Reports?</u> Districts participating in the program will have reporting requirements to provide data and other information to the DOE, and the Commissioner will ultimately need to prepare a final report at the completion of the pilot program.

**Required Training?** N/A.



CS/HB 1121 (Ch. 23-316) Florida Retirement System

By: Representatives Bartleman and Tomkow

Effective Date: July 1, 2023
Approved by Governor: June 30, 2023

<u>Required Rulemaking?</u> Districts may need to adopt policies establishing a volunteer service program that complies with this new law, including any required records and who is responsible for updating and maintaining those records.

**Required Reports?** No reports are required, but the required records must be made available to DMS or the SBA upon request.

**Required Training?** Volunteer coordinators and school administrators will need to be advised of the record-keeping requirements and restrictions on the number of hours a person can volunteer during that first year of retirement.

<u>CS/CS/SB 256 (Ch. 23-35)</u> Employee Organizations Representing Public

**Employees** 

By: Senator Ingoglia

Effective Date: October 1, 2023 (registration requirements, 60%)

July 1, 2023 (dues deduction)

May 9, 2023 (all other provisions)

Approved by Governor: May 9, 2023

**Required Rulemaking?** PERC has already started the rule adoption process for the required membership form, and it has indicated that it will be looking at other possible rules over the summer.

Required Reports? N/A.

Required Training? N/A.

CS/CS/HB 897 (Ch. 23-212) Group Health Plans

By: Representative Fernandez-Barquin

Effective Date: Upon Becoming Law

Approved by Governor: June 9, 2023

Required Rulemaking? N/A.



Required Reports? N/A.

Required Training? N/A.

SB 662 (Ch. 23-170) Student Online Personal Information Protection

By: Senator Bradley

Effective Date: July 1, 2023
Approved by Governor: May 31, 2023

**Required Rulemaking?** The SBE is authorized to adopt rules to implement the Act.

Required Reports? N/A.

Required Training? N/A.

CS/CS/SB 258 (Ch. 23-32) Prohibited Applications on Government-issued

**Devices** 

By: Senator Burgess

Effective Date: July 1, 2023
Approved by Governor: May 8, 2023

**Required Rulemaking?** DMS is required to adopt any necessary rules to implement this new law and has emergency rulemaking power to establish the first list of prohibited applications within 30 days after July 1, 2023.

Districts will most likely need to update their policies covering use of technology and districtissued devices, employee conduct, and perhaps even the student codes of conduct. Districts may also wish to adopt a policy covering any employee who may be granted a waiver.

Required Reports? N/A.

<u>Required Training?</u> Employees will need to be made aware of this new law and how information will be disseminated when the list of prohibited applications is published and updated. They also may need to receive training on uninstalling applications from devices.



CS/CS/HB 301 (Ch. 23-99) Emergency Response Mapping Data

By: Representative Alvarez

Effective Date: July 1, 2023
Approved by Governor: May 17, 2023

**Required Rulemaking?** N/A. **Required Reports?** N/A.

<u>Required Training?</u> School administrators and safe schools officers will probably need to be trained on use of the new maps, as first responders will almost certainly be using them if they answer an emergency on campus.

CS/HB 543 (Ch. 23-18) Public Safety

By: Representatives Brannan and Payne

Effective Date: July 1, 2023
Approved by Governor: April 3, 2023

Required Rulemaking? The SBE is directed to adopt rules regarding access to the statewide threat management portal, including who can have access or grant access to others. It was also granted emergency rulemaking authority to allow the Office of Safe Schools to implement these changes. The SBE was also granted emergency rulemaking authority to adopt rules for SESIR incidents and which incidents must be reported to law enforcement. As noted above, the SBE adopted a rule under this provision on April 19, 2023. Finally, the SBE is directed to adopt rules for the implementation of the Florida Safe Schools Canine Program.

To the extent that districts may have policies in place for the composition or actions of school and district threat assessment teams, they may need to amend those policies to address some of these changes, including the change in emphasis from assessment to management. Also, districts with their own law enforcement units may need to adopt or amend their active assailant response policy by October 1, 2023.

<u>Required Reports?</u> Aside from the new threat assessment and management reports that will be created in response to each threat, the law does not require the district to create any new reports not already required by law.

<u>Required Training?</u> The Office of Safe Schools is required to train schools, districts, and charters about the new threat assessment instrument and threat management operational process.



<u>CS/CS/SB 766 (Ch. 23-171)</u> Enforcement of School Bus Passing Infractions

By: Senator Burgess

Effective Date: July 1, 2023
Approved by Governor: May 31, 2023

Required Rulemaking? The SBE will establish specifications for the school bus infraction detection systems, which must be tested at regular intervals as established in SBE rules to be adopted by December 31, 2023. If districts purchase or obtain equipment prior to the adoption of that rule, it is not required to bring the new equipment into compliance with the specifications established in the rule until July 1, 2024. The SBE also has the authority to adopt rules regarding student privacy that may arise as a result of these detection systems.

Required Reports? Beginning October 1, 2023, districts employing these infraction detection systems need to issue a quarterly report, in consultation with law enforcement, to the Department of Highway Safety and Motor Vehicles (DHSMV). The information and format required for these quarterly reports will be established by the DHSMV and must be available to districts by August 1, 2023. The reports must include at least the number of buses with detection systems, date of installation or removal of the system, the number of violation notices issued (and the details of their resolution), information about the locations of the infractions to help identify areas in need of safety improvements, and other statistical data and information DHSMV might require.

Beginning December 31, 2024, and then annually thereafter, DHSMV must submit a summary report to the Governor, Senate President, and Speaker of the House about these infraction detection systems, including any recommended legislation.

**Required Training?** N/A.

CS/CS/HB 657 (Ch. 23-174) Enforcement of School Zone Speed Limits

By: Representative Koster

Effective Date: July 1, 2023
Approved by Governor: May 31, 2023

Required Rulemaking? N/A.

**Required Reports?** N/A.

Required Training? N/A.



CS/SB 190 (Ch. 23-113) Interscholastic Extracurricular Activities

By: Senator Grall Effective Date: July 1, 2023 Approved by Governor: May 24, 2023

Required Rulemaking? N/A.

Required Reports? N/A.

Required Training? N/A.

CS/HB 225 (Ch. 23-97) Interscholastic Athletics

By: Representatives Hawkins and Canady

Effective Date: July 1, 2023
Approved by Governor: May 17, 2023

**Required Rulemaking?** Districts with policies addressing athletic eligibility may need to update policies, such as allowing a student to continue to participate at a school for the remainder of the year even if he or she transfers out of the school during the year.

Required Reports? N/A.

Required Training? N/A.

<u>CS/CS/HB 1069 (Ch. 23-105)</u> Education

By: Representatives McClain and Anderson

Effective Date: July 1, 2023
Approved by Governor: May 17, 2023

**Required Rulemaking?** The SBE is authorized to adopt rules to implement further the new pronoun statute, and districts may need to amend or repeal any of their own policies that conflict with the new state-mandated policy for all districts that sex is an immutable biological trait.

The SBE may need to amend some of its recently-adopted rules concerning classroom instruction on sexual orientation or gender identity, and districts that have adopted policies addressing these topics may also need to make amendments to reflect the changes enacted this year.



Finally, districts may need to review and amend their policies concerning book challenges, especially if their policy requires that material be left on the shelf until the conclusion of the challenge. For example, NEOLA's policy template for this topic has historically left it as a school board choice. Also, "Each district school board shall adopt and publish on its website the process for a parent to limit his or her student's access to materials in the school or classroom library."

Required Reports? The law amended the provisions for the annual report submitted to the Commissioner by June 30th about book challenges in the district. Next year's report will need to include information about the grade level and course in which the material was used and include a list of materials that were challenged but not removed, as well as the reasons why they were not removed.

All instructional and administrative personnel should be advised of the new provisions added this year and provided with whatever resources are available to help them navigate through this. Unfortunately, there is not much available from the DOE, and the media specialist training they created earlier this year advises such things as "when in doubt, err on the side of caution." Teachers in grades PreK and 4-8 need to know that the law expanded the prohibition on classroom instruction, and all teachers and administrators need to know about the rule amendments the SBE has adopted this past year on these subjects, because these put their certification at risk. Finally, principals should be advised of their new notification requirements about challenges to instructional material adoption and specific materials used at the school.

CS/HB 1521 (Ch. 23-106) Facility Requirements Based on Sex

By: Representative Plakon

Effective Date: July 1, 2023
Approved by Governor: May 17, 2023

<u>Required Rulemaking?</u> The SBE will adopt rules establishing how districts can demonstrate compliance with the restroom and changing facility requirements, and it is possible that the rules will go further.

School boards will need to adopt provisions in their student codes of conduct and employee discipline policies. This may also require making changes to collective bargaining agreements, depending on the employee discipline language contained therein. Also, any district that elected to adopt a restroom or changing facility policy based on gender identity or something other than biological sex at birth will need to repeal that policy, as state law trumps school board policy.

<u>Required Reports?</u> Schools will need to submit evidence of compliance with the facility designation requirements by April 1, 2024, pursuant to whatever requirements are adopted by the SBE through rulemaking.



Required Training? Administrators and instructional personnel will need to be advised of this new law and the fact that they are the only employees at the school who can enforce it. Procedures for responding to complaints may need to be developed, as situations where students are accusing other students of being in the wrong restroom could escalate quickly and potentially disrupt the learning environment. Districts may also need to remind other employees who are not instructional personnel or administrators that they do not have the authority under the law to enforce it.

<u>CS/CS/HB 633 (Ch. 23-104)</u> K-12 Education (Class-size)

By: Representatives Salzman and Hawkins

Effective Date: July 1, 2023
Approved by Governor: May 17, 2023

**Required Rulemaking?** Districts may need to update their school choice and controlled open enrollment policies to address the new special allowances for certain military children.

**Required Reports?** It is not new, but districts will still need to submit a plan for return to class-size compliance if they are found to be out of compliance during the October survey.

**Required Training?** N/A.

CS/SB 1278 (Ch. 23-310) Direct-support Organizations

By: Senator Simon

Effective Date: Upon becoming law

Approved by Governor: June 29, 2023

Required Rulemaking? N/A.

Required Reports? N/A.

Required Training? N/A.

CS/CS/HB 837 (Ch. 23-15) Civil Remedies

By: Representatives Gregory and Fabricio

Effective Date: March 24, 2023
Approved by Governor: March 24, 2023

Required Rulemaking? N/A.

Required Reports? N/A.



Required Training? N/A.

<u>CS/CS/SB 774 (Ch. 23-49)</u> Ethics Requirements for Public Officials

By: Senator Brodeur Effective Date: May 11, 2023
Approved by Governor: May 11, 2023

**Required Rulemaking?** The Commission is required to revise its forms and any related rules to conform to this new law. However, any revisions it makes for forms and instructions for the 2022 filing year are exempt from the requirements of Chapter 120, so they will not be accomplished through normal rulemaking procedures.

Required Reports? N/A.

Required Training? N/A.

HB 477 (Ch. 23-37) Term Limits for District School Board Members

By: Representative Rizo

Effective Date: July 1, 2023
Approved by Governor: May 9, 2023

Required Rulemaking? N/A.

Required Reports? N/A.

Required Training? N/A.

HJR 31 Partisan Elections for Members of District School

**Boards** 

By: Representatives Roach and Sirois

Effective Date: General Election, 2024

Approved by Governor: N/A (approved by Legislature on April 19, 2023)

Required Rulemaking? N/A.

Required Reports? N/A.

Required Training? N/A.



HB 411 (Ch. 23-101) Residency of Local Elected Officials

By: Representative Steele

Effective Date: July 1, 2023
Approved by Governor: May 17, 2023

Required Rulemaking? N/A.

Required Reports? N/A.

Required Training? N/A.

CS/HB 773 Hernando County School District

By: Representative Holcomb

Effective Date: Upon Becoming Law

Approved by Governor: June 9, 2023

Required Rulemaking? N/A.

Required Reports? N/A.

Required Training? N/A.

CS/CS/HB 3 (Ch. 23-28)

Government and Corporate Activism

Representatives Rommel and Sirois

Effective Date: July 1, 2023
Approved by Governor: May 2, 2023

"Notwithstanding any other law, when deciding whether to invest and when investing public funds pursuant to this section, the unit of local government must make decisions based solely on pecuniary factors and may not subordinate the interests of the people of this state to other objectives, including sacrificing investment return or undertaking additional investment risk to promote any nonpecuniary factor. The weight given to any pecuniary factor must appropriately reflect a prudent assessment of its impact on risk or returns."

"(2)(a) An awarding body may not request documentation of or consider a vendor's social, political, or ideological interests when determining if the vendor is a responsible vendor. (b) An awarding body may not give preference to a vendor based on the vendor's social, political, or ideological interests."



CS/SB 676 (Ch. 23-220) Level 2 Background Screenings

By: Senator Grall Effective Date: July 1, 2024 Approved by Governor: June 12, 2023

This bill largely focuses on AHCA and the new clearinghouse requirements that have been enacted over the last couple of years. However, there are some amendments to sections of law directly affecting districts. For example, the disqualifying list in section 1012.315, F.S., is stricken, and the disqualification list in section 435.04, F.S., is referenced instead. It does not appear that there are any new or removed offenses with this switch.

CS/SB 252 (Ch. 23-43) Protection from Discrimination Based on Health

**Care Choices** 

By: Senator Burton Effective Date: May 11, 2023 Approved by Governor: May 11, 2023

This new law expands upon the Legislature's prohibitions against mask and vaccine mandates related to COVID-19. No governmental entity can require documentation about vaccine status or Covid test results. Also, no government entity can refuse to hire a person or otherwise discriminate in the employment of a person based on their vaccination status.

With respect to schools, no school can ask for documentation about vaccination or Covid test status or otherwise use Covid information to prevent access to a school. Also, no school can require a person to wear a face mask, except as required for safety reasons pursuant to rules adopted by the Department of Health, which is given emergency rulemaking authority for this. With respect to vaccines, these provisions only apply to COVID-19.



CS/CS/SB 346 (Ch. 23-134) Public Construction

By: Senator DiCeglie

Effective Date: July 1, 2023
Approved by Governor: May 25, 2023

This appears to shorten some timelines and mandate certain payouts for all local governmental public construction projects. Local governments are defined in the "Local Government Prompt Payment Act" (sections 218.70 - .80, F.S.) to include school districts.

**CS/CS/SB 1310 (Ch. 23-256)** Substitution of Work Experience for

**Postsecondary Education Requirements** 

By: Senator DiCeglie

Effective Date: July 1, 2023
Approved by Governor: June 16, 2023

This law enacts the "Expanding Public Sector Career Opportunities Act." The Act provides that a public employer, including school districts, can only require a postsecondary degree as a baseline requirement "as an alternative to the number of years of direct experience required." It establishes that two years of work experience equals an associate degree, four years equals a bachelor's degree, six years equals a master's degree, seven years equals a professional degree, and nine years of direct experience equals a doctoral degree. However, the law remains that work experience cannot substitute for any required licensure or certification.

CS/CS/SB 262 (Ch. 23-201) Technology Transparency

By: Senator Bradley

Effective Date: July 1, 2024
Approved by Governor: June 6, 2023

While this law is primarily directed at online platforms, it also prohibits certain government employees from requesting social media platforms to remove content or accounts or maintain any sort of agreement about content moderation. However, this does not apply to routine account management, identifying fake accounts posing as the governmental entity or person, removal of content about crimes or violations of public records law, or investigations related to prevent bodily harm, loss of life, or property damage.



<u>CS/SB 102 (Ch. 23-17)</u> Housing

By: Senator Calatayud

Effective Date: July 1, 2023

Approved by Governor: March 29, 2023

This law addresses affordable housing, but it also includes a couple of provisions related to school district affordable housing programs. Those districts that have started or are considering potential affordable housing projects for district employees will want to review this law in full.

SB 2500 (Ch. 23-239) General Appropriations Act

Effective Date: July 1, 2023
Approved by Governor: June 15, 2023

Required Rulemaking? N/A.

Required Reports? There is \$2,100,000 provided to the DOE for salary increases for classroom teachers employed by a juvenile justice education program or school. To be eligible, the program or school must have a contract with a school district for the provision of instructional and special education services. For the funds to be distributed, each district that is eligible to receive the funds "must develop and submit to the [DOE] a report that identifies, by juvenile justice education program or school, the eligible full-time classroom teachers and the associated amount being provided to each teacher to increase the salary level to the minimum base salary" in the district.

Required Training? N/A.

**SB 2502 (Ch. 23-240)** Implementing the 2023-24 GAA

Effective Date: July 1, 2023
Approved by Governor: June 15, 2023

Required Rulemaking? N/A.

Required Reports? N/A.

Required Training? N/A.



**HB 5101 (Ch. 23-245)** Education (Conforming Bill)

Effective Date: July 1, 2023
Approved by Governor: June 15, 2023

**Required Rulemaking?** The newly created Board of Trustees for the Florida School for Competitive Academics is granted rulemaking authority similar to the rulemaking authority of school districts or the Florida School for the Deaf and Blind.

The SBE is given rulemaking authority to implement the Heroes in the Classroom Bonus program. It may also need to adopt rules to establish what other information it deems necessary for districts to report regarding the Teacher Classroom Supply Assistance Program. Similarly, it may need to adopt a rule to establish what information districts are required to provide regarding the Heroes in the Classroom program, as well as the manner in which districts are to notify eligible veterans and retired first responders about the potential impact on their pensions from a previous employer.

School boards, which will no longer be receiving a designated allocation for instructional materials and will now have to determine each year how much they will set aside for the upcoming year, may want to adopt a policy to guide this process or authorize the superintendent to make the required notification to the Commissioner by July 1<sup>st</sup>, which is several weeks before the district budget will be adopted.

Districts that elect to offer voluntary, noncredit summer school in basic program courses will need to adopt the fees for the program, including a policy for determining the fee based on the student's ability to pay.

Required Reports? There are several new reporting or certification requirements established in this law, and many existing reporting requirements were modified or moved. For example, districts still must annually report to the Office of Safe Schools by October 15<sup>th</sup> that all public schools in the district have completed the FSSAT, but the statutory requirement was moved.

Superintendents must annually certify to the Commissioner by August 1<sup>st</sup> that the school board "has approved a comprehensive staff development plan that supports fidelity of implementation of instructional materials programs, including verification that training was provided, that the materials are being implemented as designed, and that core reading materials used in kindergarten through grade 5 meet the requirements of s. 1001.215(8)." On the same day, districts must also submit their comprehensive reading plans to the DOE.

Superintendents also must annually certify to the Commissioner by July 1<sup>st</sup> the district's estimated allocation of state funds for instructional materials. Also, districts are now required to report annually to the DOE by September 1<sup>st</sup> the required information about eligible classroom teachers and the Teacher Classroom Supply Assistance Program.

Finally, while districts are still required to submit their salary distribution plans to the DOE by October 1<sup>st</sup> each year, they will now also have to submit annually, beginning August 1, 2024, a



report on the prior year's expenditures of the CTOIPS (fka TSIA) funds. The DOE will prescribe the format for this report, but it must include the amount spent on raising the minimum teacher salary, as well as the salary schedules showing the increases. Charter schools are required to submit the same information to districts for inclusion in the district's annual report.

Required Training? It is not necessarily a new training requirement, but, as mentioned above, Superintendents are required to certify by August 1<sup>st</sup> each year that the school board has "approved a comprehensive staff development plan that supports fidelity of implementation of instructional materials programs, including verification that training was provided."

Also, the mental health assistance program requirements were moved, but there is still the requirement that district mental health assistance programs include "training classroom teachers and other school staff in detecting and responding to mental health issues and connecting children, youth, and families who may experience behavioral health issues with appropriate services."

SB 7024 (Ch. 23-193) Retirement

Effective Date: June 5, 2023 (changes to DROP length)

July 1, 2023 (new employer rates, DROP interest)

Approved by Governor: June 5, 2023

Required Rulemaking? N/A.

**Required Reports?** N/A.

**Required Training?** N/A.

HB 7063 (Ch. 23-157) Taxation
Effective Date: July 1, 2023
Approved by Governor: May 25, 2023

Required Rulemaking? N/A.

Required Reports? N/A.

Required Training? N/A.



### **APPENDICES**

FEFP – Appendix I





## **APPENDIX I**

2023-24 FEFP Conference Report







# Public School Funding The Florida Education Finance Program (FEFP) Fiscal Year 2023-2024

SB 2500 Conference Report May 2, 2023





#### THE FLORIDA SENATE

#### **COMMITTEE ON APPROPRIATIONS**

Location 201 The Capitol

Mailing Address

404 South Monroe Street Tallahassee, Florida 32399-1100 (850) 487-5140

Senator Doug Broxson, Chair Senator Darryl Rouson, Vice Chair

Professional Staff: Tim Sadberry, Staff Director

Senate's Website: www.flsenate.gov

## **MEMORANDUM**

**To:** Tracy Cantella, Secretary

**From:** Senator Doug Broxson, Chair

**Appropriations Committee** 

**Subject:** Public School Funding: The Florida Education Finance Program (FEFP)

**Date:** May 2, 2023

For the 2023-2024 fiscal year, we intend to incorporate by reference in Senate Bill 2502, the document titled "Public School Funding: The Florida Education Finance Program (FEFP)," dated May 2, 2023.

The purpose of the document is to display the calculations used by the Legislature, consistent with the requirements of Florida Statutes, in making appropriations for the Florida Education Finance Program.

The document will be made available for anyone interested in the calculations used by the Legislature to make appropriations for the Florida Education Finance Program.

A hard copy of the document is attached to this memorandum to formalize the exact document that is incorporated by reference in Senate Bill 2502.



President of the Senate

## **2023-2024 FEFP - CONFERENCE REPORT, MAY 2, 2023**

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#### 2023-2024 FEFP - CONFERENCE REPORT, MAY 2, 2023 Public Schools Funding Summary, Comparison with 2022-2023 STATEWIDE SUMMARY

	2022-2023 Fourth Calculation	2023-2024 Conference Report Calculation	Difference	Percentage Difference
	-1-	-2-	-3-	-4-
Major FEFP Formula Components	·	<del>-</del>	· ·	·
Unweighted District FTE	2,977,710.18	3,095,082.45	117,372.27	3.94%
Weighted District FTE	3,276,847.70	3,413,445.79	136,598.09	4.17%
School Taxable Value (Tax Roll)	2,933,437,989,999	3,286,296,358,377	352,858,368,378	12.03%
Required Local Effort Millage	3.262	3.262	0.000	0.00%
Discretionary Millage	0.748	0.748	0.000	0.00%
Total Millage	4.010	4.010	0.000	0.00%
Base Student Allocation	4,587.40	5,139.73	552.33	12.04%
FEFP Detail				
WFTE x BSA x CWF x Small District Factor (Base FEFP)	15,034,590,411	17,753,850,142	2,719,259,731	18.09%
Classroom Teacher and Other Instructional Personnel Salary Increase (the Teacher Salary Increase Allocation)	800,000,000	1,052,803,316 *	252,803,316	31.60%
(f.k.a. Teacher Salary Increase Allocation)  DJJ Supplemental Allocation	3,617,572	3,373,272	(244,300)	-6.75%
Educational Enrichment Allocation	5,017,572	3,313,212	(244,300)	-0.1370
(f.k.a. Supplemental Academic Instruction)	719,314,907	825,066,525	105,751,618	14.70%
ESE Guaranteed Allocation	1,094,851,200	1,211,296,702	116,445,502	10.64%
Instructional Materials Allocation	246,978,361	, ,, -	(246,978,361)	-100.00%
Mental Health Assistance Allocation	140,000,000	160.000.000	20.000.000	14.29%
Reading Instruction Allocation	170,000,000	, ,	(170,000,000)	-100.00%
Safe Schools Allocation	210,000,000	250,000,000	40,000,000	19.05%
Student Transportation Allocation	515,009,084	535,831,174	20,822,090	4.04%
Teachers Classroom Supplies Allocation	54,143,375	000,001,111	(54,143,375)	-100.00%
Turnaround Supplemental Services Allocation	16,913,480		(16,913,480)	-100.00%
.748 Mill Discretionary Compression	356,338,419	389,413,555	33,075,136	9.28%
Federally-Connected Student Supplement	14,303,467	14,958,729	655,262	4.58%
Funding Compression & Hold Harmless	66,139,409	14,500,725	(66,139,409)	-100.00%
Sparsity Supplement	62,181,511		(62,181,511)	-100.00%
State-Funded Discretionary Contribution	39,670,279	42,328,719	2,658,440	6.70%
Total FEFP	19,544,051,475	21,186,118,818	1,642,067,343	8.40%
Less: Required Local Effort	8,854,248,311	9,891,348,974	1,037,100,663	11.71%
Net State FEFP Funds	10,689,803,164	11,294,769,844	604,966,680	5.66%
State Catemanical Decompose				
State Categorical Programs	0.006.074.506	2 704 570 042	(444,400,744)	-3.85%
Class Size Reduction Allocation	2,896,071,526	2,784,578,812	(111,492,714)	-3.85%
State-Funded Discretionary Supplement Total State Categorical Funding	2,896,071,526	<u>436,091,636</u> 3,220,670,448	<u>436,091,636</u> 324,598,922	11.21%
Total State Funding	13,585,874,690	14,515,440,292	929,565,602	6.84%
Local Funding				
Required Local Effort	8,854,248,311	9,891,348,974	1,037,100,663	11.71%
.748 Mill Discretionary Local Effort	2,106,443,151	2,359,823,691	253,380,540	12.03%
Total Local Funding	10,960,691,462	12,251,172,665	1,290,481,203	11.77%
Totals				
Total Funding	24,546,566,152	26,766,612,957	2,220,046,805	9.04%
State Funds per FTE	4,562.52	4,689.84	127.32	2.79%
Local Funds per FTE	3,680.92	3,958.27	277.35	7.53%
Total Funds per FTE	8,243.44	8,648.11	404.67	4.91%
Percent State Funds Percent Local Funds	55.35% 44.65%	54.23% 45.77%		

<sup>\*</sup> The Classroom Teacher and Other Instructional Personnel Salary Increase Allocation funding is included in the Base Funding Total for 2023-2024.

FL-BREVARD-23-1239-A-000247

## 2023-2024 FEFP - CONFERENCE REPORT, MAY 2, 2023 Change in FTE Students and Funds Compared to the 2022-2023 Fourth Calculation

_									
		K-	12 Unweighted F	TE Students	Percentage		K-12 Total Fun	ding	Percentage
	District	2022-2023	2023-2024	Difference	Difference	2022-2023	2023-2024	Difference	Difference
		-1-	-2-	-3-	-4-	-5-	-6-	-7-	-8-
<u> </u>	A1 1	00.040.54	04 700 00	4 700 40	5.040/	0.40, 400, 0.40	007.054.000	07.050.000	44.540/
	Alachua Baker	30,010.51 4,896.58	31,792.99 4,918.19	1,782.48 21.61	5.94% 0.44%	240,193,610 40,272,431	267,851,690 42,811,938	27,658,080 2,539,507	11.51% 6.31%
3	Bay	27,110.33	27,874.00	763.67	2.82%	225,268,760	243,453,588	18,184,828	8.07%
1	Bradford	3,019.43	3,210.85	191.42	6.34%	25,538,110	28,801,291	3,263,181	12.78%
5	Brevard	76,529.44	79,849.34	3,319.90	4.34%	622,805,429	681,557,583	58,752,154	9.43%
6		264,123.62	272,606.05	8,482.43	3.21%	2,166,425,364	2,335,146,109	168,720,745	7.79%
7	Calhoun	2,076.83	2,083.69	6.86	0.33%	18,272,994	19,359,101	1,086,107	5.94%
8	Charlotte	16,926.77	17,691.86	765.09	4.52%	145,637,480	159,719,504	14,082,024	9.67%
9	Citrus	16,070.42	16,435.91	365.49	2.27%	128,292,757	139,056,699	10,763,942	8.39%
10	Clay	39,061.67	40,309.21	1,247.54	3.19%	310,974,359	341,415,668	30,441,309	9.79%
11	Collier Columbia	48,268.14 10,242.69	50,791.17 10,279.19	2,523.03 36.50	5.23% 0.36%	485,825,933 81,978,857	532,124,630 88,857,115	46,298,697 6,878,258	9.53% 8.39%
1	Dade	350,908.59	367,941.88	17,033.29	4.85%	2,925,215,082	3,251,065,716	325,850,634	11.14%
14	De Soto	4,649.27	4,689.78	40.51	0.87%	38,325,592	40,901,845	2,576,253	6.72%
1	Dixie	2,058.96	2,143.21	84.25	4.09%	17,481,523	19,285,613	1,804,090	10.32%
		135,989.89	141,955.53	5,965.64	4.39%	1,100,193,722	1,196,008,924	95,815,202	8.71%
17	Escambia	39,031.10	40,046.49	1,015.39	2.60%	314,583,706	340,561,995	25,978,289	8.26%
18	Flagler	13,865.87	14,201.17	335.30	2.42%	112,082,610	122,205,046	10,122,436	9.03%
19	Franklin	1,149.49	1,150.18	0.69	0.06%	10,638,867	11,903,973	1,265,106	11.89%
20	Gadsden	4,703.82	4,641.47	(62.35)	-1.33%	38,700,573	40,960,849	2,260,276	5.84%
21	Gilchrist	2,842.54	2,969.65	127.11	4.47%	25,242,373	27,950,969	2,708,596	10.73%
1		1,804.20	1,853.61	49.41	2.74%	16,176,174	17,551,291	1,375,117	8.50%
23	Gulf	1,905.83	1,956.86	51.03	2.68%	16,701,364	18,345,932	1,644,568	9.85%
24 25	Hamilton Hardee	1,684.32 4,903.34	1,697.12 4,918.53	12.80 15.19	0.76% 0.31%	14,332,889 39,334,721	15,326,910 41,755,625	994,021 2,420,904	6.94% 6.15%
26	Hendry	13,572.75	13,802.85	230.10	1.70%	99,573,203	107,519,721	7,946,518	7.98%
1	Hernando	25,247.50	26,359.83	1,112.33	4.41%	203,407,044	222,737,125	19,330,081	9.50%
28	Highlands	12,534.85	12,613.03	78.18	0.62%	99,688,759	106,352,455	6,663,696	6.68%
29	Hillsborough	227,575.11	234,990.31	7,415.20	3.26%	1,854,636,054	1,992,832,287	138,196,233	7.45%
30	Holmes	3,129.37	3,250.92	121.55	3.88%	26,467,855	29,034,715	2,566,860	9.70%
31	Indian River	17,342.56	17,843.37	500.81	2.89%	145,019,108	156,377,965	11,358,857	7.83%
32	Jackson	5,889.80	5,994.62	104.82	1.78%	49,728,591	53,582,365	3,853,774	7.75%
33	Jefferson	813.98	971.88	157.90	19.40%	8,140,574	10,427,835	2,287,261	28.10%
	Lafayette	1,146.30	1,163.58	17.28	1.51%	10,128,868	10,874,004	745,136	7.36%
	Lake	48,638.98	51,531.14	2,892.16	5.95%	386,041,004	428,800,839	42,759,835	11.08%
1	Lee	99,979.28	104,369.14	4,389.86	4.39%	855,149,425	928,042,953	72,893,528	8.52%
1	Leon	33,281.96	34,125.68	843.72	2.54%	268,672,278	289,895,961	21,223,683	7.90%
	Levy Liberty	5,749.15 1,313.83	5,817.30 1,307.58	68.15 (6.25)	1.19% -0.48%	49,028,136 11,834,505	52,544,635 12,454,315	3,516,499 619,810	7.17% 5.24%
40	Madison	2,390.42	2,392.40	1.98	0.08%	19,937,326	21,104,027	1,166,701	5.85%
41	Manatee	52,136.03	53,766.67	1,630.64	3.13%	423,471,288	455,565,587	32,094,299	7.58%
1	Marion	46,464.55	48,130.89	1,666.34	3.59%	371,320,442	412,726,441	41,405,999	11.15%
43	Martin	18,673.10	19,192.65	519.55	2.78%	165,513,391	176,793,773	11,280,382	6.82%
44	Monroe	8,687.45	8,736.71	49.26	0.57%	99,488,866	105,529,903	6,041,037	6.07%
45	Nassau	13,156.14	13,801.72	645.58	4.91%	108,299,917	118,252,974	9,953,057	9.19%
46	Okaloosa	33,160.21	34,016.69	856.48	2.58%	272,794,151	291,435,251	18,641,100	6.83%
1	Okeechobee	6,404.44	6,451.51	47.07	0.73%	52,469,797	56,225,512	3,755,715	7.16%
	Orange	213,700.84	220,465.36	6,764.52	3.17%	1,753,798,036	1,883,692,459	129,894,423	7.41%
	Osceola Dalm Basah	76,209.51	79,465.82	3,256.31	4.27%	608,487,378	660,454,050	51,966,672	8.54%
_	Palm Beach Pasco	193,726.47 85,087.04	203,305.63 88,536.21	9,579.16 3,449.17	4.94% 4.05%	1,697,831,422 689,654,312	1,868,078,251 749,413,791	170,246,829 59,759,479	10.03% 8.67%
1	Pinellas	95,412.48	99,690.85	4,278.37	4.48%	802,055,101	878,003,278	75,948,177	9.47%
	Polk	117,726.58	123,541.52	5,814.94	4.94%	942,903,051	1,039,229,524	96,326,473	10.22%
1	Putnam	10,320.24	10,314.21	(6.03)	-0.06%	83,812,991	88,976,977	5,163,986	6.16%
1	St. Johns	50,414.08	54,145.47	3,731.39	7.40%	413,534,086	462,222,613	48,688,527	11.77%
56	St. Lucie	47,043.46	49,935.59	2,892.13	6.15%	381,252,718	421,207,552	39,954,834	10.48%
1	Santa Rosa	30,781.75	32,137.39	1,355.64	4.40%	247,967,583	273,886,348	25,918,765	10.45%
	Sarasota	46,069.82	48,971.85	2,902.03	6.30%	421,366,290	469,131,693	47,765,403	11.34%
	Seminole	68,197.99	71,360.08	3,162.09	4.64%	541,367,361	592,501,089	51,133,728	9.45%
	Sumter	9,248.35	10,068.08	819.73	8.86%	81,264,783	93,653,260	12,388,477	15.24%
1	Suwannee	6,129.97	6,189.05	59.08	0.96%	48,113,366	51,727,468	3,614,102	7.51%
	Taylor Union	2,664.05 2,273.28	2,776.96 2,351.48	112.91	4.24%	22,785,379	25,205,549	2,420,170	10.62% 9.51%
1	Union Volusia	2,273.28 64,958.60	2,351.48	78.20 1,260.57	3.44% 1.94%	19,075,342 516,930,912	20,889,460 559,949,596	1,814,118 43,018,684	9.51% 8.32%
1	Wakulla	5,167.94	5,331.42	163.48	3.16%	41,374,475	45,775,434	4,400,959	10.64%
	Walton	11,497.50	12,198.75	701.25	6.10%	111,179,871	124,645,792	13,465,921	12.11%
1	Washington	3,227.66	3,237.62	9.96	0.31%	27,995,126	29,753,106	1,757,980	6.28%
	FAMU Lab School	606.78	606.25	(0.53)	-0.09%	5,487,471	5,680,853	193,382	3.52%
	FAU Lab - PB	1,313.74	1,317.73	3.99	0.30%	12,240,219	12,739,448	499,229	4.08%
71	FAU Lab - St. Lucie	1,458.57	1,455.74	(2.83)	-0.19%	11,400,855	11,823,189	422,334	3.70%
72	FSU Lab - Broward	698.77	699.62	0.85	0.12%	5,918,755	6,153,840	235,085	3.97%
	FSU Lab - Leon	1,845.68	1,892.26	46.58	2.52%	14,979,169	15,945,759	966,590	6.45%
	UF Lab School	1,258.59	1,254.95	(3.64)		10,689,866	11,055,087	365,221	3.42%
	Virtual School	49,549.03	48,849.99	(699.04)	-1.41%	291,794,372	300,460,012	8,665,640	2.97%
76	FSU Lab - Bay	0.00	125.00	125.00		0	1,267,232	1,267,232	

# 2023-2024 FEFP - CONFERENCE REPORT, MAY 2, 2023 Change in Funds and Funds per FTE Student Compared to the 2022-2023 Fourth Calculation

			V 12 Total Fu	adina		V 12 Tota	I Funds per U	Invesighted E	TE Student
			K-12 Total Fu	laing	Percentage	K-12 10ta	i runus per c	mweignted F	Percentage
	District	2022-2023	2023-2024	Difference	Difference	2022-2023	2023-2024	Difference	Difference
		-1-	-2-	-3-	-4-	-5-	-6-	-7-	-8-
1	Alachua	240.193.610	267 054 600	27,658,080	11 510/	8,003.65	8,424.87	421.22	F 060/
2	Baker	40,272,431	267,851,690 42,811,938	2,539,507	11.51% 6.31%	8,224.60	8,704.82	480.22	5.26% 5.84%
3	Bay	225,268,760	243,453,588	18,184,828	8.07%	8,309.33	8,734.07	424.74	5.11%
4	Bradford	25,538,110	28,801,291	3,263,181	12.78%	8,457.92	8,969.99	512.07	6.05%
5	Brevard	622,805,429	681,557,583	58,752,154	9.43%	8,138.12	8,535.54	397.42	4.88%
6	Broward	2,166,425,364	2,335,146,109	168,720,745	7.79%	8,202.32	8,566.01	363.69	4.43%
7	Calhoun	18,272,994	19,359,101	1,086,107	5.94%	8,798.50	9,290.78	492.28	5.60%
8	Charlotte	145,637,480	159,719,504	14,082,024	9.67%	8,603.97 7.983.16	9,027.85	423.88	4.93%
10	Citrus Clay	128,292,757 310,974,359	139,056,699 341,415,668	10,763,942 30,441,309	8.39% 9.79%	7,963.16	8,460.54 8,469.92	477.38 508.81	5.98% 6.39%
11	Collier	485,825,933	532,124,630	46.298.697	9.53%	10,065.15	10.476.72	411.57	4.09%
12	Columbia	81,978,857	88,857,115	6,878,258	8.39%	8,003.65	8,644.37	640.72	8.01%
13	Dade	2,925,215,082	3,251,065,716	325,850,634	11.14%	8,336.12	8,835.81	499.69	5.99%
14	De Soto	38,325,592	40,901,845	2,576,253	6.72%	8,243.36	8,721.48	478.12	5.80%
15	Dixie	17,481,523	19,285,613	1,804,090	10.32%	8,490.46	8,998.47	508.01	5.98%
16	Duval	1,100,193,722	1,196,008,924	95,815,202	8.71%	8,090.26	8,425.24	334.98	4.14%
	Escambia	314,583,706	340,561,995	25,978,289	8.26%	8,059.82	8,504.17	444.35	5.51%
18	Flagler	112,082,610 10,638,867	122,205,046	10,122,436 1,265,106	9.03%	8,083.34 9,255.29	8,605.28	521.94	6.46%
19	Franklin Gadsden	38,700,573	11,903,973 40,960,849	2,260,276	11.89% 5.84%	8,227.48	10,349.66 8,824.97	1,094.37 597.49	11.82% 7.26%
21	Gilchrist	25,242,373	27,950,969	2,708,596	10.73%	8,880.22	9,412.21	531.99	5.99%
22	Glades	16,176,174	17,551,291	1,375,117	8.50%	8,965.84	9,468.71	502.87	5.61%
23	Gulf	16,701,364	18,345,932	1,644,568	9.85%	8,763.30	9,375.19	611.89	6.98%
24	Hamilton	14,332,889	15,326,910	994,021	6.94%	8,509.60	9,031.13	521.53	6.13%
25	Hardee	39,334,721	41,755,625	2,420,904	6.15%	8,022.03	8,489.45	467.42	5.83%
26	Hendry	99,573,203	107,519,721	7,946,518	7.98%	7,336.26	7,789.68	453.42	6.18%
27	Hernando	203,407,044	222,737,125	19,330,081	9.50%	8,056.52	8,449.87	393.35	4.88%
28	Highlands	99,688,759	106,352,455	6,663,696	6.68%	7,952.93	8,431.95	479.02	6.02% 4.06%
30	Hillsborough Holmes	1,854,636,054 26,467,855	1,992,832,287 29,034,715	138,196,233 2,566,860	7.45% 9.70%	8,149.56 8,457.89	8,480.49 8,931.23	330.93 473.34	4.06% 5.60%
31	Indian River	145,019,108	156,377,965	11,358,857	7.83%	8,362.04	8,763.93	401.89	4.81%
32	Jackson	49,728,591	53,582,365	3,853,774	7.75%	8,443.17	8,938.41	495.24	5.87%
33	Jefferson	8,140,574	10,427,835	2,287,261	28.10%	10,000.95	10,729.55	728.60	7.29%
34	Lafayette	10,128,868	10,874,004	745,136	7.36%	8,836.14	9,345.30	509.16	5.76%
35	Lake	386,041,004	428,800,839	42,759,835	11.08%	7,936.86	8,321.20	384.34	4.84%
36	Lee	855,149,425	928,042,953	72,893,528	8.52%	8,553.27	8,891.93	338.66	3.96%
37	Leon	268,672,278	289,895,961	21,223,683	7.90%	8,072.61	8,494.95	422.34	5.23%
38	Levy Liberty	49,028,136 11,834,505	52,544,635 12,454,315	3,516,499 619,810	7.17% 5.24%	8,527.89 9,007.64	9,032.48 9,524.71	504.59 517.07	5.92% 5.74%
40	Madison	19,937,326	21,104,027	1,166,701	5.85%	8,340.51	8,821.28	480.77	5.74%
41	Manatee	423,471,288	455,565,587	32,094,299	7.58%	8,122.43	8,473.01	350.58	4.32%
42	Marion	371,320,442	412,726,441	41,405,999	11.15%	7,991.48	8,575.08	583.60	7.30%
43	Martin	165,513,391	176,793,773	11,280,382	6.82%	8,863.73	9,211.54	347.81	3.92%
44	Monroe	99,488,866	105,529,903	6,041,037	6.07%	11,452.02	12,078.91	626.89	5.47%
45	Nassau	108,299,917	118,252,974	9,953,057	9.19%	8,231.89	8,567.99	336.10	4.08%
46	Okaloosa	272,794,151	291,435,251	18,641,100	6.83%	8,226.55	8,567.42	340.87	4.14%
	Okeechobee	52,469,797	56,225,512	3,755,715	7.16%	8,192.72	8,715.09	522.37	6.38%
48	Orange	1,753,798,036	1,883,692,459	129,894,423	7.41%	8,206.79	8,544.17	337.38	4.11% 4.09%
50	Osceola Palm Beach	608,487,378 1,697,831,422	660,454,050 1,868,078,251	51,966,672 170,246,829	8.54% 10.03%	7,984.40 8,764.07	8,311.17 9,188.52	326.77 424.45	4.09%
51	Pasco	689,654,312	749,413,791	59,759,479	8.67%	8,105.28	8,464.49	359.21	4.43%
	Pinellas	802,055,101	878,003,278	75,948,177	9.47%	8,406.19	8,807.26	401.07	4.77%
	Polk	942,903,051	1,039,229,524	96,326,473	10.22%	8,009.26	8,411.99	402.73	5.03%
	Putnam	83,812,991	88,976,977	5,163,986	6.16%	8,121.22	8,626.64	505.42	6.22%
	St. Johns	413,534,086	462,222,613	48,688,527	11.77%	8,202.75	8,536.68	333.93	4.07%
56	St. Lucie	381,252,718	421,207,552	39,954,834	10.48%	8,104.27	8,435.02	330.75	4.08%
57	Santa Rosa	247,967,583	273,886,348	25,918,765	10.45%	8,055.67	8,522.36	466.69	5.79%
58 59	Sarasota Seminole	421,366,290 541,367,361	469,131,693 592,501,089	47,765,403	11.34% 9.45%	9,146.25 7,938.17	9,579.62 8,302.98	433.37 364.81	4.74% 4.60%
	Sumter	81,264,783	93,653,260	51,133,728 12,388,477	15.24%	8,786.95	9,302.90	515.05	5.86%
61	Suwannee	48,113,366	51,727,468	3,614,102	7.51%	7,848.87	8,357.90	509.03	6.49%
62	Taylor	22,785,379	25,205,549	2,420,170	10.62%	8,552.91	9,076.67	523.76	6.12%
63	Union	19,075,342	20,889,460	1,814,118	9.51%	8,391.11	8,883.54	492.43	5.87%
	Volusia	516,930,912	559,949,596	43,018,684	8.32%	7,957.85	8,456.00	498.15	6.26%
65	Wakulla	41,374,475	45,775,434	4,400,959	10.64%	8,005.99	8,585.97	579.98	7.24%
66	Walton	111,179,871	124,645,792	13,465,921	12.11%	9,669.92	10,217.92	548.00	5.67%
	Washington	27,995,126	29,753,106	1,757,980	6.28%	8,673.51	9,189.81	516.30	5.95%
69	FAMU Lab School FAU Lab - PB	5,487,471 12,240,219	5,680,853 12,739,448	193,382 499,229	3.52% 4.08%	9,043.59 9,317.08	9,370.48 9,667.72	326.89 350.64	3.61% 3.76%
71	FAU Lab - PB	12,240,219	12,739,446	422,334	3.70%	7,816.46	8,121.77	305.31	3.76%
	FSU Lab - Broward	5,918,755	6,153,840	235,085	3.70%	8,470.25	8,795.97	325.72	3.85%
	FSU Lab - Leon	14,979,169	15,945,759	966,590	6.45%	8,115.80	8,426.83	311.03	3.83%
74	UF Lab School	10,689,866	11,055,087	365,221	3.42%	8,493.53	8,809.19	315.66	3.72%
	Virtual School	291,794,372	300,460,012	8,665,640	2.97%	5,889.00	6,150.67	261.67	4.44%
76	FSU Lab - Bay	0	1,267,232	1,267,232			10,137.86		

School District Funding Allocations Summary - Page 1

	District	Base FEFP Funding	DJJ Supplemental Allocation	Educational Enrichment Allocation	ESE Guaranteed Allocation	Mental Health Assistance Allocation	Safe Schools Allocation	Student Transportation Allocation
	2.0	-1-	-2-	-3-	-4-	-5-	-6-	-7-
1	Alachua	177,062,773	124,353	9,139,415	14,515,306	1,598,008	3,231,468	4,859,787
2		27,969,514	0	1,893,923	1,528,402	355,159	583,218	1,834,683
3	,	164,216,686 18,008,688	25,132 0	8,164,881 1,747,383	10,498,032 1,662,395	1,544,178 251,409	2,646,753 467,912	4,413,525 824,838
5		452,231,274	40,421	21,194,205	36,359,428	4,010,188	6,431,254	13,365,522
6		1,587,558,299	220,360	59,827,600	105,567,857	13,292,890	21,742,075	34,956,025
7		12,129,922	0	1,604,171	881,891	209,620	387,694	510,565
8		100,960,950 90,944,387	0 105,276	3,884,794 3,521,049	7,510,731 7,903,380	991,293 925,941	1,493,566 1,488,326	3,977,214 4,911,018
10	-	224,785,937	92,832	10,496,140	20,876,199	2,156,386	2,920,414	8,813,813
11		306,605,685	79,905	11,436,726	25,605,024	2,652,296	3,681,226	9,610,762
13	P. Columbia B. Dade	58,321,943 2,152,632,333	0 174,887	3,782,810 119,349,587	4,199,288 152,487,691	603,051 17,729,985	1,077,718 31,727,608	2,524,015 25,538,734
14		26,321,552	0	2,428,180	2,031,550	338,633	618,764	897,657
15		12,311,361	0	898,186	1,029,368	206,599	404,050	567,452
16		800,332,764 223,942,765	193,382 119,586	37,587,645 11,431,772	56,275,509 15,157,290	6,877,784 2,069,335	12,897,164 3,988,306	20,945,517 9,995,146
18		79,590,621	0	3,004,642	7,211,339	810,645	1,169,810	3,488,999
19	Franklin	6,509,714	0	244,052	514,801	159,292	350,653	351,617
20		26,621,100 17,848,270	0	1,669,676 2,122,575	1,662,569 1,241,821	320,693 244,187	561,386 418,586	1,589,607 609,901
	? Glades	10,594,679	0	1,606,670	730,630	195,812	370,819	364,085
23	Gulf Gulf	11,387,152	0	390,192	807,607	198,870	393,629	400,496
24		9,588,227 27,732,401	33,415 0	896,152 1,233,691	539,172 1,784,322	183,228 357,484	389,459 611,611	635,343 1,448,705
26		77,928,361	0	3,949,212	3,739,163	810,876	802,707	1,937,641
27	' Hernando	148,115,043	22,594	6,127,447	12,164,165	1,398,995	2,048,412	5,768,059
28	J	71,133,995	0	2,777,206	4,845,602	724,722	1,255,269	3,115,150
30		1,346,469,552 17,999,074	358,833 0	65,057,452 2,719,246	87,371,563 1,132,148	11,789,171 268,385	15,641,515 462,626	41,287,113 853,521
31		99,995,966	0	3,858,266	6,428,699	989,440	1,522,223	3,081,304
32		35,063,745	25,077	2,546,722	2,356,991	408,605	631,072	1,844,373
33		5,462,431 6,828,647	0	1,569,906 755,845	468,618 543,426	137,796 160,006	346,033 320,403	327,397 212,577
35		286,760,545	23,401	12,049,264	20,327,065	2,638,881	3,927,190	10,692,160
36		600,885,724	87,277	38,153,595	36,622,423	5,407,928	7,452,382	30,342,588
37		189,993,666 33,666,894	85,863 0	10,138,787 3,244,826	18,070,132 2,436,519	1,792,482 390,467	3,520,038 731,701	5,156,635 1,648,820
39		7,914,963	81,214	841,927	529,065	168,260	330,944	322,556
40		13,432,329	9,027	1,067,188	1,034,897	222,826	425,937	705,063
41		299,450,332 274,902,982	153,718 142,760	13,266,135 14,154,341	21,623,777 17,256,611	2,785,253 2,470,485	4,380,007 3,937,463	8,730,006 13,069,074
43		112,832,186	0	4,425,695	7,369,034	1,064,437	1,607,409	4,099,976
44		51,510,295	541	1,890,776	3,777,327	545,500	924,583	1,176,906
45		76,712,115 191,371,216	109,291	5,266,528 9.107.062	4,654,809 14,209,118	789,382 1,806,833	1,162,612 2,618,176	3,904,911 8,137,076
47	-	36,402,652	72,305	1,984,299	3,236,009	427,314	794,417	1,951,539
	Orange	1,295,594,789	177,256	53,205,425	62,616,031	11,027,962	18,089,383	34,960,759
49	Osceola Palm Beach	446,047,562 1,221,187,739	76,573 145,976	19,198,873 44,665,536	24,413,187 81,556,522	4,018,915 10,040,099	5,497,794 16,167,052	19,032,029 30,885,001
51	Pasco	501,929,430	68,172	24,286,244	35,008,315	4,581,414	6,271,677	19,959,258
	Pinellas	569,437,573	107,428	24,257,543	43,862,916	4,781,147	8,753,462	13,799,731
	Polk Putnam	689,036,727 58,225,017	138,881 0	33,321,693 2,948,219	48,825,855 4,905,370	6,249,074 625,112	8,645,689 1,040,898	31,414,515 2,926,785
	St. Johns	308,333,945	52,248	12,101,811	23,756,025	2,840,289	3,492,035	15,249,451
56		276,101,670	80,661	15,156,158	22,105,598	2,573,071	3,562,770	12,184,914
57	' Santa Rosa B Sarasota	182,236,374 287,494,749	0	8,680,601 9,919,605	11,795,913 24,556,394	1,723,941 2,525,094	2,183,099 4,030,500	9,081,291 8,101,845
	Seminole	399,580,856	0	16,671,936	30,336,220	3,535,596	5,023,533	8,431,665
60	Sumter	56,904,880	0	2,034,649	4,435,232	619,530	995,170	1,582,282
61	Suwannee ? Taylor	34,587,511 16,494,996	0	1,265,281 839,822	2,212,436 1,195,517	406,595 236,639	715,071 505,720	1,627,709 864,613
	Union	13,426,202	0	1,052,203	1,036,763	220,756	398,216	594,583
64	Volusia	372,657,614	118,154	18,199,899	27,705,999	3,373,042	5,436,164	13,413,949
65		30,382,062 67,289,345	26,473	987,996 2,482,049	2,237,237 4,918,454	373,638 713,902	618,525 1,050,503	1,705,270 3,247,755
67		19,140,431	20,473	1,724,276	1,322,310	264,272	467,783	968,298
69	FAMU Lab School	3,226,260	0	935,570	55,669	132,241	283,693	0
	FAU Lab - PB FAU Lab - St. Lucie	7,890,425 7,903,877	0	1,443,795 561,429	113,563	170,079 177,419	323,234	0
	PSU Lab - St. Lucie	7,903,877 3,985,880	0	196,994	299,128 269,976	177,419	330,904 288,882	0
73	FSU Lab - Leon	10,253,710	0	1,529,762	354,005	200,634	355,130	0
	UF Lab School	6,667,258	0	1,385,542	377,385	166,741	319,578	0
	Virtual School FSU Lab - Bay	256,156,793 634,757	0	1,471,279 34,493	2,220,553 25,366	2,697,933 106,648	0 256,947	0
- 46	Jolean - Day	007,707		UT,TUU	20,000	100,040	200,041	U

Total GHT 17,753,850,142 3,373,272 825,066,525 1,211,296,702 160,000,000 250,000,000 535,831,174

#### School District Funding Allocations Summary - Page 2

		I	Endorally			Doduot:	
			Federally	04.4. 5		Deduct:	N1.4
			Connected	State-Funded		Required	Net
		.748 Mill	Student	Discretionary	Total	Local	State
	District	Compression	Supplement	Contribution	FEFP	Effort	FEFP
		-8-	-9-	-10-	-11-	-12-	-13-
1	Alachua	7,172,816	0	0	217,703,926	75,086,545	142,617,381
2	Baker		0	0			
		2,613,477			36,778,376	5,224,950	31,553,426
3	Bay	913,431	1,130,681	0	193,553,299	91,716,925	101,836,374
4	Bradford	1,397,426	0	0	24,360,051	4,768,979	19,591,072
5	Brevard	10,397,183	3,083,910	0	547,113,385	221,265,031	325,848,354
6	Broward	0	0	0	1,823,165,106	927,114,489	896,050,617
7	Calhoun	1,195,184	0	0	16,919,047	1,752,935	15,166,112
			0		118.818.548		
8	Charlotte	0		0	-,	98,569,036	20,249,512
9	Citrus	1,466,083	0	0	111,265,460	49,281,245	61,984,215
10	Clay	18,112,540	438,603	0	288,692,864	56,739,715	231,953,149
11	Collier	0	0	0	359,671,624	323,710,617	35,961,007
12	Columbia	4,854,347	0	0	75,363,172	13,738,657	61,624,515
13	Dade	0	265,568	0	2,499,906,393	1,518,521,355	981,385,038
14		_	0	Ö			
		1,642,126			34,278,462	8,452,793	25,825,669
15	Dixie	1,080,328	0	0	16,497,344	2,577,016	13,920,328
16	Duval	28,892,209	1,047,656	0	965,049,630	353,819,953	611,229,677
17	Escambia	8,469,833	1,579,298	0	276,753,331	98,243,147	178,510,184
18		0	0	0	95,276,056	53,649,190	41,626,866
19		l ő	0	0	8,130,129	7,317,610	812,519
			0	0			27,421,829
20	Gadsden	2,002,284			34,427,315	7,005,486	
21	Gilchrist	1,379,640	0	0	23,864,980	4,069,198	19,795,782
22		602,590	384,388	0	14,849,673	3,555,398	11,294,275
23	Gulf	0	0	0	13,577,946	11,565,946	2,012,000
24	Hamilton	406,732	0	0	12,671,728	3,865,677	8,806,051
25	Hardee	2,092,539	Õ	Ö	35,260,753	7,434,384	27,826,369
26	Hendry	7,609,787	0	0	96,777,747	12.739.235	84,038,512
						,,	
27	Hernando	7,701,024	0	0	183,345,739	53,963,295	129,382,444
28	Highlands	3,747,331	0	0	87,599,275	26,348,533	61,250,742
29	Hillsborough	54,212,265	1,507,066	0	1,623,694,530	549,170,683	1,074,523,847
30	Holmes	2,035,369	0	0	25,470,369	1,982,277	23,488,092
31	Indian River	0	0	0	115,875,898	93,153,047	22,722,851
32		2,989,397	0	0	45,865,982	7,217,412	38,648,570
33	Jefferson		0				
		23,413		0	8,335,594	3,121,894	5,213,700
34		621,072	0	0	9,441,976	1,184,943	8,257,033
	Lake	12,331,402	0	0	348,749,908	121,081,717	227,668,191
36	Lee	0	143,450	0	719,095,367	428,692,635	290,402,732
37	Leon	7,818,876	0	0	236,576,479	81,630,064	154,946,415
38	Levy	2,162,756	0	0	44,281,983	10,276,553	34,005,430
	Liberty	715,717	Ö	Ö	10,904,646	1,247,249	9,657,397
	,						
40	Madison	1,034,833	0	0	17,932,100	3,581,195	14,350,905
41	Manatee	0	0	0	350,389,228	214,559,937	135,829,291
42	Marion	12,706,074	0	0	338,639,790	107,099,268	231,540,522
43	Martin	0	0	0	131,398,737	106,827,454	24,571,283
44	Monroe	0	809,417	0	60,635,345	54,572,445	6,062,900
45	Nassau	l ő	0	Õ	92,490,357	50,269,866	42,220,491
46	Okaloosa	4,687,500	3,101,842	0	235,148,114	95,853,491	139,294,623
1 .					1 1		
47	Okeechobee	1,727,714	0	0	46,596,249	14,091,164	32,505,085
	Orange	8,699,563	0	0	1,484,371,168	701,743,983	782,627,185
49	Osceola	25,973,403	0	0	544,258,336	158,511,047	385,747,289
	Palm Beach	0	22,034	0	1,404,669,959	1,025,919,414	378,750,545
51	Pasco	30,317,454	0	0	622,421,964	168,064,508	454,357,456
1 -	Pinellas	0	Ö	Ö	664,999,800	440,136,932	224,862,868
	Polk	46,713,520	0	0	864,345,954	212,456,298	651,889,656
	Putnam	3,075,285	0	0	73,746,686	20,964,684	52,782,002
	St. Johns	4,384,700	0	0	370,210,504	162,630,677	207,579,827
	St. Lucie	9,163,680	0	0	340,928,522	127,151,825	213,776,697
57	Santa Rosa	11,650,125	1,444,816	0	228,796,160	58,127,322	170,668,838
58		0	0	0	336,628,187	302,998,554	33,629,633
	Seminole	16,327,186	Ö	Ő	479,906,992	166,773,181	313,133,811
	Sumter	0	0	0	66,571,743	59,903,850	6,667,893
61	Suwannee	2,837,184	0	0	43,651,787	8,693,200	34,958,587
	Taylor	655,168	0	0	20,792,475	6,587,992	14,204,483
63	Union	1,531,542	0	0	18,260,265	1,271,618	16,988,647
64	Volusia	5,520,030	0	0	446,424,851	198,216,152	248,208,699
	Wakulla	2,438,112	0	0	38,742,840	7,337,433	31,405,407
	Walton	0	0	0	79,728,481	71,749,067	7,979,414
		1,516,210	0			4,400,603	
	Washington			0	25,403,580	, ,	21,002,977
69		138,904	0	331,619	5,103,956	0	5,103,956
	FAU Lab - PB	0	0	1,519,198	11,460,294	0	11,460,294
71	FAU Lab - St. Lucie	267,143	0	862,686	10,402,586	0	10,402,586
	FSU Lab - Broward	0	0	551,182	5,430,121	0	5,430,121
	FSU Lab - Leon	433,555	0	1,035,066	14,161,862	0	14,161,862
	UF Lab School	283,129	0	690,863	9,890,496	0	9,890,496
						-	
	Virtual School	668,268	0	37,245,186	300,460,012	0	300,460,012
/ /6	FSU Lab - Bay	4,096	0	92,919	1,155,226	0	1,155,226

#### School District Funding Allocations Summary - Page 3

	Net	Class Size	State-Funded	Total	Required	Discretionary	Total	
	State	Reduction	Discretionary	State	Local	Local Effort	Local	Total
District	FEFP -14-	Allocation -15-	Supplement -16-	Funding -17-	Effort -18-	.748 mills -19-	Funding -20-	Funds -21-
	-14-		-10-	-17-	-10-	-19-	-20-	-21-
1 Alachua	142,617,381	26,672,402	5,973,107	175,262,890	75,086,545	17,502,255	92,588,800	267,851,690
2 Baker 3 Bay	31,553,426 101,836,374	4,632,116 27,794,083	197,793 1,386,103	36,383,335 131,016,560	5,224,950 91,716,925	1,203,653 20,720,103	6,428,603 112,437,028	42,811,938 243,453,588
4 Bradford	19,591,072	2,739,230	607,442	22,937,744	4,768,979	1,094,568	5,863,547	28,801,291
5 Brevard	325,848,354	71,434,085	11,434,469	408,716,908	221,265,031	51,575,644	272,840,675	681,557,583
6 Broward	896,050,617	249,316,473	47,897,841	1,193,264,931	927,114,489	214,766,689	1,141,881,178	2,335,146,109
7 Calhoun 8 Charlotte	15,166,112 20,249,512	1,983,554 16,350,668	34,487 2,207,973	17,184,153 38,808,153	1,752,935 98,569,036	422,013 22,342,315	2,174,948 120,911,351	19,359,101 159,719,504
9 Citrus	61,984,215	14,848,664	1,652,415	78,485,294	49,281,245	11,290,160	60,571,405	139,056,699
10 Clay	231,953,149	37,159,379	2,391,076	271,503,604	56,739,715	13,172,349	69,912,064	341,415,668
11 Collier	35,961,007	50,203,372	9,155,032	95,319,411	323,710,617	113,094,602	436,805,219	532,124,630
12 Columbia 13 Dade	61,624,515 981,385,038	9,243,281 336,727,235	1,127,101 72,204,316	71,994,897 1,390,316,589	13,738,657 1,518,521,355	3,123,561 342,227,772	16,862,218 1,860,749,127	88,857,115 3,251,065,716
14 De Soto	25,825,669	4,289,509	336,184	30,451,362	8,452,793	1,997,690	10,450,483	40,901,845
15 Dixie	13,920,328	1,967,646	237,560	16,125,534	2,577,016	583,063	3,160,079	19,285,613
16 Duval	611,229,677	124,580,467	25,095,865	760,906,009	353,819,953	81,282,962 22,611,038	435,102,915	1,196,008,924
17 Escambia 18 Flagler	178,510,184 41,626,866	35,888,362 12,911,855	5,309,264 1,589,264	219,707,810 56,127,985	98,243,147 53,649,190	12,427,871	120,854,185 66,077,061	340,561,995 122,205,046
19 Franklin	812,519	1,065,164	113,340	1,991,023	7,317,610	2,595,340	9,912,950	11,903,973
20 Gadsden	27,421,829	4,066,028	867,474	32,355,331	7,005,486	1,600,032	8,605,518	40,960,849
21 Gilchrist 22 Glades	19,795,782 11,294,275	2,725,384 1,763,165	435,450 102,415	22,956,616 13,159,855	4,069,198 3,555,398	925,155 836,038	4,994,353 4,391,436	27,950,969 17,551,291
23 Gulf	2,012,000	1,863,305	276,696	4,152,001	3,555,398 11,565,946	2,627,985	14,193,931	18,345,932
24 Hamilton	8,806,051	1,468,209	276,543	10,550,803	3,865,677	910,430	4,776,107	15,326,910
25 Hardee	27,826,369	4,647,425	122,596	32,596,390	7,434,384	1,724,851	9,159,235	41,755,625
26 Hendry 27 Hernando	84,038,512 129,382,444	7,247,675 23,562,719	391,418 3,071,226	91,677,605 156,016,389	12,739,235 53,963,295	3,102,881 12,757,441	15,842,116 66,720,736	107,519,721 222,737,125
28 Highlands	61,250,742	11,249,943	1,461,329	73.962.014	26,348,533	6,041,908	32.390.441	106,352,455
29 Hillsborough	1,074,523,847	215,312,017	25,657,356	1,315,493,220	549,170,683	128,168,384	677,339,067	1,992,832,287
30 Holmes	23,488,092	2,961,858	114,743	26,564,693	1,982,277	487,745	2,470,022	29,034,715
31 Indian River 32 Jackson	22,722,851 38,648,570	16,377,987 5,735,659	2,551,795 317,562	41,652,633 44,701,791	93,153,047 7,217,412	21,572,285 1,663,162	114,725,332 8,880,574	156,377,965 53,582,365
33 Jefferson	5,213,700	691,690	669,666	6,575,056	3,121,894	730,885	3,852,779	10,427,835
34 Lafayette	8,257,033	1,087,249	62,775	9,407,057	1,184,943	282,004	1,466,947	10,874,004
35 Lake	227,668,191	46,158,097	6,229,693	280,055,981	121,081,717	27,663,141	148,744,858	428,800,839
36 Lee 37 Leon	290,402,732 154,946,415	99,973,025 30,758,569	9,882,444 3,894,056	400,258,201 189,599,040	428,692,635 81,630,064	99,092,117 18,666,857	527,784,752 100,296,921	928,042,953 289,895,961
38 Levy	34,005,430	5,286,943	623,548	39,915,921	10,276,553	2,352,161	12,628,714	52,544,635
39 Liberty	9,657,397	1,206,171	44,382	10,907,950	1,247,249	299,116	1,546,365	12,454,315
40 Madison 41 Manatee	14,350,905	2,212,004	137,973	16,700,882	3,581,195 214,559,937	821,950	4,403,145	21,104,027
41 Manatee 42 Marion	135,829,291 231,540,522	49,033,659 43,827,471	6,669,570 5.609.872	191,532,520 280.977.865	107,099,268	49,473,130 24,649,308	264,033,067 131,748,576	455,565,587 412,726,441
43 Martin	24,571,283	18,351,915	2,591,794	45,514,992	106,827,454	24,451,327	131,278,781	176,793,773
44 Monroe	6,062,900	8,628,825	1,789,222	16,480,947	54,572,445	34,476,511	89,048,956	105,529,903
45 Nassau 46 Okaloosa	42,220,491 139,294,623	12,555,633 30,945,658	1,767,416 3,627,848	56,543,540 173,868,129	50,269,866 95,853,491	11,439,568 21,713,631	61,709,434 117,567,122	118,252,974 291,435,251
47 Okeechobee	32,505,085	5,823,926	525,875	38,854,886	14,091,164	3,279,462	17,370,626	56,225,512
48 Orange	782,627,185	208,027,695	28,885,026	1,019,539,906	701,743,983	162,408,570	864,152,553	1,883,692,459
49 Osceola	385,747,289	71,276,412	9,217,326	466,241,027	158,511,047	35,701,976	194,213,023	660,454,050
50 Palm Beach 51 Pasco	378,750,545 454,357,456	192,088,221 81,953,549	36,931,640 6,641,133	607,770,406 542,952,138	1,025,919,414 168,064,508	234,388,431 38,397,145	1,260,307,845 206,461,653	1,868,078,251 749,413,791
52 Pinellas	224,862,868	86,579,602	25,497,320	336,939,790	440,136,932	100,926,556	541,063,488	878,003,278
53 Polk	651,889,656	113,540,303	12,173,307	777,603,266	212,456,298	49,169,960	261,626,258	1,039,229,524
54 Putnam 55 St. Johns	52,782,002 207,579,827	9,478,952 49,296,904	821,574 5,076,670	63,082,528 261,953,401	20,964,684 162,630,677	4,929,765 37,638,535	25,894,449 200,269,212	88,976,977 462,222,613
56 St. Lucie	213,776,697	44,520,351	6,166,406	261,953,401	127,151,825	29,592,273	156,744,098	402,222,613
57 Santa Rosa	170,668,838	29,393,896	2,403,954	202,466,688	58,127,322	13,292,338	71,419,660	273,886,348
58 Sarasota	33,629,633	45,894,050	8,832,202	88,355,885	302,998,554	77,777,254	380,775,808	469,131,693
59 Seminole 60 Sumter	313,133,811 6,667,893	61,759,250 9,469,017	11,778,385 792,650	386,671,446 16,929,560	166,773,181 59,903,850	39,056,462 16,819,850	205,829,643 76,723,700	592,501,089 93,653,260
61 Suwannee	34,958,587	5,443,447	665,946	41,067,980	8,693,200	1,966,288	10,659,488	51,727,468
62 Taylor	14,204,483	2,504,672	408,305	17,117,460	6,587,992	1,500,097	8,088,089	25,205,549
63 Union	16,988,647	2,204,335	131,380	19,324,362	1,271,618	293,480	1,565,098	20,889,460
64 Volusia 65 Wakulla	248,208,699 31.405.407	59,601,106 5,033,785	8,049,356 299,088	315,859,161 36,738,280	198,216,152 7,337,433	45,874,283 1,699,721	244,090,435 9,037,154	559,949,596 45,775,434
66 Walton	7,979,414	11,046,008	2,320,273	21,345,695	71,749,067	31,551,030	103,300,097	124,645,792
67 Washington	21,002,977	3,076,636	276,326	24,355,939	4,400,603	996,564	5,397,167	29,753,106
69 FAMU Lab School	5,103,956	576,897	0	5,680,853	0	0	0	5,680,853
70 FAU Lab - PB 71 FAU Lab - St. Lucie	11,460,294 10,402,586	1,279,154 1,420,603	0 0	12,739,448 11,823,189	0	0	0 0	12,739,448 11,823,189
72 FSU Lab - Broward	5,430,121	723,719	0	6,153,840	0	0	ő	6,153,840
73 FSU Lab - Leon	14,161,862	1,783,897	0	15,945,759	0	0	0	15,945,759
74 UF Lab School 75 Virtual School	9,890,496 300,460,012	1,164,591 0	0 0	11,055,087 300,460,012	0	0	0	11,055,087 300,460,012
76 FSU Lab - Bay	1,155,226	112,006	0	1,267,232	0	0	0	1,267,232
ATA VIE EN CON N	., 100,220	. 12,000	0	.,_0.,_02		U	0	.,201,202

11,294,769,844 2,784,578,812 436,091,636 14,515,440,292 9,891,348,974 2,359,823,691 12,251,172,665 26,766,612,957

#### School District Funding Allocations Summary - Page 4

		FES Scholarship	FES Transportation	Total FES	State-Funded Discretionary	Adjusted FES District	Adjusted Net State	Adjusted Total
	District	Funding	Funding	Funding	Supplement	Funding	Funding	Funding
		-22-	-23-	-24-	-25-	-26-	-27-	-28-
1	Alachua	30,263,281	750	30,264,031	(5,973,107)	24,290,924	118,326,457	237,587,659
2	Baker	1,233,554	0	1,233,554	(197,793)	1,035,761	30,517,665	41,578,384
	Bay	7,531,550	6,750	7,538,300	(1,386,103)	6,152,197	95,684,177	235,915,288
	Bradford	3,219,946	0	3,219,946	(607,442)	2,612,504	16,978,568	25,581,345
	Brevard	58,142,124	16,500	58,158,624	(11,434,469)	46,724,155	279,124,199	623,398,959
	Broward	215,386,925	85,500	215,472,425	(47,897,841)	167,574,584	728,476,033	2,119,673,684
	Calhoun Charlotte	249,553 8,542,197	0 6,000	249,553	(34,487)	215,066 6,340,224	14,951,046 13,909,288	19,109,548 151,171,307
	Citrus	7,908,322	750	8,548,197 7,909,072	(2,207,973) (1,652,415)	6,256,657	55,727,558	131,147,627
	Clay	15,010,400	8,250	15,018,650	(2,391,076)	12,627,574	219,325,575	326,397,018
	Collier	29,369,155	3,750	29,372,905	(9,155,032)	20,217,873	15,743,134	502,751,725
	Columbia	7,132,998	750	7,133,748	(1,127,101)	6,006,647	55,617,868	81,723,367
	Dade	328,489,254	64,500	328,553,754	(72,204,316)	256,349,438	725,035,600	2,922,511,962
	De Soto	1,963,906	3,750	1,967,656	(336,184)	1,631,472	24,194,197	38,934,189
15	Dixie	1,300,114	0	1,300,114	(237,560)	1,062,554	12,857,774	17,985,499
16	Duval	124,371,551	68,250	124,439,801	(25,095,865)	99,343,936	511,885,741	1,071,569,123
	Escambia	25,096,826	15,000	25,111,826	(5,309,264)	19,802,562	158,707,622	315,450,169
	Flagler	7,451,058	4,500	7,455,558	(1,589,264)	5,866,294	35,760,572	114,749,488
	Franklin	359,490	0	359,490	(113,340)	246,150	566,369	11,544,483
	Gadsden	4,280,049	2,250	4,282,299	(867,474)	3,414,825	24,007,004	36,678,550
21	Gilchrist	2,522,225	0	2,522,225	(435,450)	2,086,775	17,709,007	25,428,74
	Glades	483,731	0	483,731	(102,415)	381,316	10,912,959	17,067,560
	Gulf	900,208	0	900,208	(276,696)	623,512	1,388,488	17,445,724
	Hamilton	1,231,949	0	1,231,949	(276,543)	955,406	7,850,645	14,094,96
	Hardee Hendry	705,481 3,390,926	0	705,481 3,390,926	(122,596) (391,418)	582,885 2,999,508	27,243,484 81,039,004	41,050,144 104,128,795
	Hernando	18,273,322	3,000	18,276,322	(3,071,226)	15,205,096	114,177,348	204,460,80
	Highlands	7,310,466	2,250	7,312,716	(1,461,329)	5,851,387	55,399,355	99,039,739
	Hillsborough	132,797,355	20,250	132,817,605	(25,657,356)	107,160,249	967,363,598	1,860,014,682
	Holmes	780,266	20,230	780,266	(114,743)	665,523	22,822,569	28,254,449
	Indian River	9,828,213	3,750	9,831,963	(2,551,795)	7,280,168	15,442,683	146,546,00
	Jackson	1,756,537	0,0	1,756,537	(317,562)	1,438,975	37,209,595	51,825,82
	Jefferson	2,618,070	1,500	2,619,570	(669,666)	1,949,904	3,263,796	7,808,26
	Lafayette	319,285	0	319,285	(62,775)	256,510	8,000,523	10,554,719
	Lake	33,650,467	6,750	33,657,217	(6,229,693)	27,427,524	200,240,667	395,143,622
	Lee	41,798,208	2,250	41,800,458	(9,882,444)	31,918,014	258,484,718	886,242,495
37	Leon	20,664,047	8,250	20,672,297	(3,894,056)	16,778,241	138,168,174	269,223,664
38	Levy	3,199,590	0	3,199,590	(623,548)	2,576,042	31,429,388	49,345,045
39	Liberty	374,519	0	374,519	(44,382)	330,137	9,327,260	12,079,796
	Madison	720,779	0	720,779	(137,973)	582,806	13,768,099	20,383,248
	Manatee	30,048,169	5,250	30,053,419	(6,669,570)	23,383,849	112,445,442	425,512,168
	Marion	30,392,069	5,250	30,397,319	(5,609,872)	24,787,447	206,753,075	382,329,122
	Martin	9,950,658	0	9,950,658	(2,591,794)	7,358,864	17,212,419	166,843,115
	Monroe	4,237,763	1,500	4,239,263	(1,789,222)	2,450,041	3,612,859	101,290,640
45 46	Nassau Okaloosa	7,415,161 17,326,415	0 1,500	7,415,161	(1,767,416)	5,647,745	36,572,746	110,837,813 274,107,330
	Okaloosa Okeechobee	2,539,199	1,500	17,327,915   2,539,199	(3,627,848)	13,700,067 2,013,324	125,594,556	53,686,31
	Orange	136,634,194	39.000	136,673,194	(525,875) (28,885,026)	107,788,168	30,491,761 674,839,017	1,747,019,26
	Osceola	49,744,552	21,750	49,766,302	(9,217,326)	40,548,976	345,198,313	610,687,74
	Palm Beach	149,432,455	22,500	149,454,955	(36,931,640)	112,523,315	266,227,230	1,718,623,29
	Pasco	40,563,818	15,750	40,579,568	(6,641,133)	33,938,435	420,419,021	708,834,22
	Pinellas	101,656,028	17,250	101,673,278	(25,497,320)	76,175,958	148,686,910	776,330,000
	Polk	69,686,511	28,500	69,715,011	(12,173,307)	57,541,704	594,347,952	969,514,51
	Putnam	3,806,249	750	3,806,999	(821,574)	2,985,425	49,796,577	85,169,97
	St. Johns	25,488,026	1,500	25,489,526	(5,076,670)	20,412,856	187,166,971	436,733,08
	St. Lucie	30,732,929	7,500	30,740,429	(6,166,406)	24,574,023	189,202,674	390,467,12
	Santa Rosa	13,748,070	0	13,748,070	(2,403,954)	11,344,116	159,324,722	260,138,27
	Sarasota	32,282,499	2,250	32,284,749	(8,832,202)	23,452,547	10,177,086	436,846,94
	Seminole	59,353,801	3,750	59,357,551	(11,778,385)	47,579,166	265,554,645	533,143,53
	Sumter	3,043,987	0	3,043,987	(792,650)	2,251,337	4,416,556	90,609,27
	Suwannee	3,638,741	0	3,638,741	(665,946)	2,972,795	31,985,792	48,088,72
	Taylor	1,773,994	0	1,773,994	(408,305)	1,365,689	12,838,794	23,431,55
	Union	760,107	0	760,107	(131,380)	628,727	16,359,920	20,129,35
	Volusia	40,426,980	8,250	40,435,230	(8,049,356)	32,385,874	215,822,825	519,514,36
	Wakulla	1,674,076	1,500	1,675,576	(299,088)	1,376,488	30,028,919	44,099,85
	Washington	6,680,365 1,362,893	2,250	6,682,615	(2,320,273)	4,362,342	3,617,072	117,963,17
	Washington FAMU Lab School		750 0	1,363,643	(276,326)	1,087,317	19,915,660 5 103 956	28,389,46
	FAU Lab - PB	0	0	0	0	0	5,103,956 11,460,294	5,680,85 12,739,44
	FAU Lab - PB	0	0	0	0	0	10,402,586	12,739,44
	FSU Lab - Broward	0	0	0	0	0	5,430,121	6,153,84
	FSU Lab - Leon	0	0	0	0	0	14,161,862	15,945,75
	UF Lab School	0	0	0	0	0	9,890,496	11,055,08
	Virtual School	0	0	0	0	0	300,460,012	300,460,01
75		U						
	FSU Lab - Bay	0	0	0	0	0	1,155,226	1,267,23

# 2023-2024 FEFP - CONFERENCE REPORT, MAY 2, 2023 Family Empowerment Scholarship (FES) Program (2023-2024) Forecasted FTE and Total Funding

		FF!	S-EO	FES.	-UA	T_	ıtal
l	District	FTE	Funds	FTE	Funds	FTE	Funds
	2.561	-1-	-2-	-3-	-4-	-5-	-6-
1		2,231.89	16,834,321	1,393.45	13,428,960	3,625.34	30,263,281
2		44.61	361,276	75.73	872,278	120.34	1,233,554
	Bay	216.26	1,660,120	502.28	5,871,430	718.54	7,531,550
4 5	Bradford Brevard	236.00 2,730.55	1,934,424 20,845,248	127.85 3,593.93	1,285,522 37,296,876	363.85 6,324.48	3,219,946 58,142,124
6	Broward	15,568.84	119,723,623	8,965.93	95,663,302	24,534.77	215,386,925
7		12.13	102,908	10.33	146,645	22.46	249,553
8	Charlotte	571.15	4,577,136	361.36	3,965,061	932.51	8,542,197
9	Citrus	552.86	4,210,369	352.54	3,697,953	905.40	7,908,322
10	Clay	691.80	5,250,269	950.34	9,760,131	1,642.14	15,010,400
11	Collier	1,779.59	16,226,646	1,019.72	13,142,509	2,799.31	29,369,155
	Columbia	503.48	3,893,719	316.63	3,239,279	820.11	7,132,998
	Dade	22,189.50	174,180,524	14,248.58	154,308,730	36,438.08	328,489,254
		82.67	664,225	119.99	1,299,681	202.66	1,963,906
15 16	Dixie Duval	55.86 9,117.73	452,884 69,543,608	82.93 5,392.37	847,230 54,827,943	138.79 14,510.10	1,300,114 124,371,551
17		2,122.24	16,183,673	894.05	8,913,153	3,016.29	25,096,826
	Flagler	460.72	3,487,682	377.90	3,963,376	838.62	7,451,058
	Franklin	26.77	241,641	8.51	117,849	35.28	359,490
20	Gadsden	358.42	2,855,130	133.27	1,424,919	491.69	4,280,049
21	Gilchrist	150.46	1,261,415	107.99	1,260,810	258.45	2,522,225
	Glades	37.39	327,022	14.62	156,709	52.01	483,731
	Gulf	84.32	719,148	13.44	181,060	97.76	900,208
	Hamilton	86.01	723,644	46.14	508,305	132.15	1,231,949
_	Hardee Hendry	46.26	366,002	30.69	339,479	76.95	705,481
	Hernando	341.55 880.61	2,483,224 6,653,160	94.41 1,053.68	907,702 11,620,162	435.96 1,934.29	3,390,926 18,273,322
	Highlands	589.38	4,606,855	276.75	2,703,611	866.13	7,310,466
	Hillsborough	9,235.58	70,250,098	5,958.48	62,547,257	15,194.06	132,797,355
30	Holmes	52.34	440,428	32.37	339,838	84.71	780,266
31	Indian River	708.20	5,579,800	410.66	4,248,413	1,118.86	9,828,213
32	Jackson	143.21	1,169,705	48.59	586,832	191.80	1,756,537
	Jefferson	196.31	1,832,633	64.88	785,437	261.19	2,618,070
	Lafayette	24.93	210,236	10.33	109,049	35.26	319,285
	Lake Lee	1,746.58	13,162,797	2,044.94	20,487,670	3,791.52	33,650,467
	Leon	2,766.62 1,221.92	22,116,605 9,293,569	1,795.38 1,079.33	19,681,603 11,370,478	4,562.00 2,301.25	41,798,208 20,664,047
	Levy	224.02	1,836,704	131.52	1,362,886	355.54	3,199,590
	Liberty	6.87	59,465	17.19	315,054	24.06	374,519
40	Madison	61.70	504,665	21.16	216,114	82.86	720,779
41	Manatee	1,501.26	11,533,286	1,773.51	18,514,883	3,274.77	30,048,169
42	Marion	2,112.23	15,954,127	1,445.46	14,437,942	3,557.69	30,392,069
	Martin	540.08	4,429,844	517.86	5,520,814	1,057.94	9,950,658
44	Monroe	226.44	2,477,712	133.35	1,760,051	359.79	4,237,763
45 46	Nassau Okaloosa	489.71 1,080.33	3,891,467 8,400,787	349.27 842.08	3,523,694 8,925,628	838.98 1,922.41	7,415,161 17,326,415
	Okeechobee	222.45	1,781,213	74.44	757,986	296.89	2,539,199
	Orange	8,887.32	68,362,529	6,095.12	68,271,665	14,982.44	136,634,194
49	Osceola	3,494.72	26,389,566	2,282.15	23,354,986	5,776.87	49,744,552
50	Palm Beach	9,651.77	77,975,687	6,746.13	71,456,768	16,397.90	149,432,455
51	Pasco	1,732.04	13,124,610	2,538.31	27,439,208	4,270.35	40,563,818
	Pinellas	7,648.52	59,567,438	4,020.81	42,088,590	11,669.33	101,656,028
	Polk	4,151.66	31,431,884	3,766.32	38,254,627	7,917.98	69,686,511
	Putnam St. Johns	301.63	2,425,526	138.69	1,380,723	440.32 2.618.60	3,806,249
_	St. Johns St. Lucie	1,023.46 2,084.32	7,867,540 16,115,698	1,595.23 1,349.11	17,620,486 14,617,231	2,618.69 3,433.43	25,488,026 30,732,929
	Santa Rosa	1,054.77	8,007,217	547.00	5,740,853	1,601.77	13,748,070
	Sarasota	2,115.27	17,562,856	1,256.55	14,719,643	3,371.82	32,282,499
	Seminole	3,819.73	28,962,538	2,939.44	30,391,263	6,759.17	59,353,801
	Sumter	122.17	1,014,314	176.97	2,029,673	299.14	3,043,987
	Suwannee	249.04	1,932,996	174.98	1,705,745	424.02	3,638,741
	•	162.67	1,313,396	45.02	460,598	207.69	1,773,994
	Union	48.48	398,864	32.37	361,243	80.85	760,107
	Volusia	2,774.46	20,861,274	1,900.37	19,565,706	4,674.83	40,426,980
	Wakulla	75.14	584,054	110.96	1,090,022	186.10	1,674,076
_	Walton	374.04	3,435,161	281.26	3,245,204	655.30	6,680,365

### 2023-2024 FEFP - CONFERENCE REPORT, MAY 2, 2023 Family Empowerment Scholarship (FES) Program Award Amounts (2023-24)

		FES-EO FES-UA								
1			1 20-20		-	SE Levels 1-3				
1					3 & 4 Years,			ESE	ESE	
	District	Grades K-3	Grades 4-8	Grades 9-12	Grades K-3	Grades 4-8	Grades 9-12	Level IV	Level V	
		-1-	-2-	-3-	-4-	-5-	-6-	-7-	-8-	
1	Alachua	7,915	7,288	7,226	9,866	9,239	9,177	21,196	31,480	
	Baker	8,487	7,200	7,779	10,438	9,793	9,730	22,136	32,704	
	Bay	8,003	7,376	7,773	9,954	9,327	9,265	21,284	31,568	
	Bradford	8,575	7,930	7,867	10,526	9,881	9,818	22,224	32,792	
	Brevard	7,971	7,344	7,282	9,922	9,295	9,233	21,252	31,536	
_	Broward	8,070	7,428	7,365	10,205	9,563	9,500	21,659	32,182	
	Calhoun	8,805	8,160	8,097	10,756	10,111	10,048	22,454	33,022	
8	Charlotte	8,355	7,728	7,666	10,306	9,679	9,617	21,636	31,920	
	Citrus	7,895	7,268	7,206	10,573	9,946	9,884	21,176	31,460	
10	Clay	7,925	7,298	7,236	9,876	9,249	9,187	21,206	31,490	
11	Collier	9,554	8,895	8,830	12,263	11,604	11,539	23,507	34,311	
12	Columbia	8,141	7,496	7,433	10,389	9,744	9,681	21,790	32,358	
	Dade	8,179	7,540	7,477	10,130	9,491	9,428	21,703	32,175	
	De Soto	8,454	7,809	7,746	11,109	10,464	10,401	22,103	32,671	
	Dixie	8,562	7,917	7,854	10,513	9,868	9,805	22,211	32,779	
	Duval	8,001	7,369	7,307	9,952	9,320	9,258	21,377	31,735	
	Escambia	7,999	7,372	7,310	9,950	9,323	9,261	21,280	31,564	
	Flagler	7,874	7,247	7,185	10,644	10,017	9,955	21,155	31,439	
	Franklin	9,352	8,707	8,644	11,303	10,658	10,595	23,001	33,569	
_	Gadsden	8,403	7,758	7,695	10,460	9,815	9,752	22,052	32,620	
	Gilchrist	8,791	8,146	8,083	10,742	10,097	10,034	22,440	33,008	
	Glades	9,088	8,443	8,380	11,039	10,394	10,331	22,737	33,305	
	Gulf	8,956	8,311	8,248	10,907	10,262	10,199	22,605	33,173	
	Hamilton	8,788	8,143	8,080	11,348 10,613	10,703	10,640 9,905	22,437	33,005	
_	Hardee Hendry	8,196 7,662	7,551 7,017	7,488 6,954	9,718	9,968 9,073	9,905	21,845 21,311	32,413 31,879	
	Hernando	7,880	7,017	7,191	10,361	9,734	9,672	21,311	31,445	
	Highlands	8,131	7,486	7,423	10,087	9,442	9,379	21,780	32,348	
	Hillsborough	8,002	7,368	7,306	9,981	9,347	9,285	21,413	31,797	
	Holmes	8,745	8,100	8,037	10,937	10,292	10,229	22,394	32,962	
_	Indian River	8,264	7,637	7,575	10,215	9,588	9,526	21,545	31,829	
	Jackson	8,507	7,862	7,799	10,664	10,019	9,956	22,156	32,724	
	Jefferson	9,771	9,126	9,063	12,365	11,720	11,657	23,420	33,988	
	Lafayette	8,890	8,245	8,182	10,841	10,196	10,133	22,539	33,107	
	Lake	7,877	7,250	7,188	9,929	9,302	9,240	21,158	31,442	
36	Lee	8,369	7,734	7,671	10,958	10,323	10,260	21,810	32,219	
37	Leon	7,970	7,343	7,281	10,543	9,916	9,854	21,251	31,535	
38	Levy	8,611	7,966	7,903	10,562	9,917	9,854	22,260	32,828	
	Liberty	8,963	8,318	8,255	10,914	10,269	10,206	22,612	33,180	
_	Madison	8,447	7,802	7,739	10,758	10,113	10,050	22,096	32,664	
	Manatee	8,051	7,424	7,362	10,123	9,496	9,434	21,332	31,616	
	Marion	7,897	7,270	7,208	9,881	9,254	9,192	21,178	31,462	
	Martin	8,519	7,884	7,821	10,568	9,933	9,870	21,963	32,374	
	Monroe	11,223	10,567	10,502	13,174	12,518	12,453	25,119	35,879	
	Nassau	8,256	7,629	7,567	10,207	9,580	9,518	21,537	31,821	
	Okaloosa	8,060	7,433	7,371 7,565	10,324	9,697	9,635	21,341	31,625	
	Okeechobee Orange	8,273 8,025	7,628 7,392	7,565 7,330	10,224 9,976	9,579 9,343	9,516 9,281	21,922 21,431	32,490 31,812	
	Osceola	7,931	7,392 7,304	7,330	9,976	9,343	9,281	21,431	31,812	
	Palm Beach	8,494	7,304 7,839	7,242	10,445	9,349	9,287	21,212	31,496	
_	Pasco	7,923	7,039	7,774	10,445	9,438	9,725	21,204	31,488	
	Pinellas	8,203	7,290	7,234	10,003	9,590	9,528	21,204	31,466	
	Polk	7,933	7,374	7,244	10,219	9,395	9,333	21,324	31,498	
	Putnam	8,377	7,732	7,669	10,022	9,683	9,620	22,026	32,594	
	St. Johns	8,010	7,383	7,321	9,961	9,334	9,272	21,291	31,575	
	St. Lucie	8,046	7,419	7,357	10,792	10,165	10,103	21,327	31,611	
	Santa Rosa	7,901	7,274	7,212	10,072	9,445	9,383	21,182	31,466	
	Sarasota	8,684	8,047	7,984	10,992	10,355	10,292	22,184	32,638	
	Seminole	7,972	7,345	7,283	9,923	9,296	9,234	21,253	31,537	
	Sumter	8,619	7,992	7,930	10,772	10,145	10,083	21,900	32,184	
61	Suwannee	8,161	7,516	7,453	10,112	9,467	9,404	21,810	32,378	
	Taylor	8,431	7,786	7,723	10,382	9,737	9,674	22,080	32,648	
	Union	8,651	8,006	7,943	10,602	9,957	9,894	22,300	32,868	
	Volusia	7,834	7,207	7,145	9,785	9,158	9,096	21,115	31,399	
_	Wakulla	8,177	7,532	7,469	10,128	9,483	9,420	21,826	32,394	
166	Walton Washington	9,511	8,884	8,822	11,734	11,107	11,045	22,792	33,076	
		8,786	8,141	8,078	10,737	10,092	10,029	22,435	33,003	

#### Unweighted FTE Detail

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		_			ESOL-	_	_		
		Basic	Basic	Basic	Intensive	ESE	ESE	Career	Total
		Education	Education	Education	English	Level	Level	Education	Unweighted
		Grades K-3	Grades 4-8	Grades 9-12	Grades K-12	IV	V	Grades 9-12	FTE
	District	-1-	-2-	-3-	-4-	-5-	-6-	-7-	-8-
1	Alachua	9,906.13	12,297.42	8,337.83	638.48	49.66	12.95	550.52	31,792.99
2	Baker	1.614.54	1,856.83	1,097.66	8.71	17.16	2.41	320.88	4,918.19
3	Bay	8,145.50	10,147.26	7,098.52	1,145.35	660.35	106.92	570.10	27,874.00
4	Bradford	1,088.28	1,245.71	762.90	0.00	12.79	0.42	100.75	3,210.85
5	Brevard	24,329.18	29,892.84	21,810.93	1,697.79	786.11	105.86	1,226.63	79,849.34
6	Broward	71,061.97	97,144.44	74,456.25	21,521.66	1,909.21	576.43	5,936.09	272,606.05
7	Calhoun	642.78	762.30	555.59	8.53	26.25	1.35	86.89	2,083.69
8	Charlotte	4,915.74	6,369.06	5,404.98	359.94	177.91	36.98	427.25	17,691.86
9	Citrus	5,167.82	6,307.46	4,231.84	107.43	109.17	5.40	506.79	16,435.91
10	Clay	11,821.68	15,042.04	11,315.33	697.28	311.83	35.18	1,085.87	40,309.21
11	Collier	12,263.02	17,958.55	13,910.70	4,919.77	635.90	75.76	1,027.47	50,791.17
12	Columbia	3,578.04	3,859.97	2,248.41	71.14	66.96	4.63	450.04	10,279.19
13	Dade	86,929.80	122,063.52	93,737.58	52,916.80	3,948.88	644.38	7,700.92	367,941.88
14	De Soto	1,336.74	1,829.63	1,121.48	232.85	0.00	1.49	167.59	4,689.78
15	Dixie	729.04	781.98	505.35	21.33	10.88	4.58	90.05	2,143.21
16	Duval	45,058.47	51,942.40	36,129.76	6,006.74	1,047.71	221.75	1,548.70	141,955.53
17 18	Escambia Flagler	12,843.24 3.842.99	14,859.69 5,401.57	10,270.76 4,182.87	561.26 276.70	176.43 119.51	88.00 26.65	1,247.11 350.88	40,046.49 14.201.17
19	Franklin	367.28	456.98	273.88	19.43	8.98	0.00	23.63	1,150.18
20	Gadsden	1,523.81	1,711.98	1,205.87	70.15	36.40	6.74	86.52	4,641.47
21	Gilchrist	993.11	1,131.29	633.84	52.29	55.67	8.37	95.08	2,969.65
22	Glades	640.97	827.91	310.84	49.34	5.59	4.14	14.82	1,853.61
23	Gulf	583.97	752.93	523.65	12.94	37.92	3.15	42.30	1,956.86
24	Hamilton	461.44	634.10	443.74	87.53	4.14	0.90	65.27	1,697.12
25	Hardee	1,419.40	1,890.96	1,248.38	208.47	10.39	2.69	138.24	4,918.53
26	Hendry	3,281.34	4,913.39	4,097.00	747.30	29.22	14.51	720.09	13,802.85
27	Hernando	7,913.29	9,999.28	7,112.19	446.69	184.30	75.65	628.43	26,359.83
28	Highlands	3,792.72	4,688.61	3,340.64	340.40	35.67	8.88	406.11	12,613.03
29	Hillsborough	64,023.54	85,669.49	60,184.10	16,794.64	2,157.53	349.51	5,811.50	234,990.31
30	Holmes	1,044.24	1,270.17	837.84	3.93	0.00	1.02	93.72	3,250.92
31	Indian River	5,126.44	6,605.33	4,911.03	600.42	144.78	22.58	432.79	17,843.37
32	Jackson	2,151.87	2,138.22	1,374.98	48.01	90.40	3.01	188.13	5,994.62
33	Jefferson	301.80	343.31	241.36	43.96	5.17	0.00	36.28	971.88
34	Lafayette	345.08	431.29	295.23	26.50	1.00	1.00	63.48	1,163.58
35 36	Lake Lee	15,463.57 25,669.46	19,283.16 35,734.78	13,401.83	1,534.42	350.33 946.89	26.94 118.87	1,470.89	51,531.14 104,369.14
37	Leon	11,216.13	12,684.91	27,991.53 8,962.65	11,706.68 486.44	172.28	21.76	2,200.93 581.51	34,125.68
38	Levy	1,943.74	2,189.12	1,321.96	131.94	16.02	4.64	209.88	5,817.30
39	Liberty	401.66	485.15	317.01	9.05	18.78	9.99	65.94	1,307.58
40	Madison	757.33	888.61	628.83	11.75	10.80	0.00	95.08	2,392.40
41	Manatee	14,896.53	19,671.03	14,273.36	3,471.39	213.96	89.61	1,150.79	53,766.67
42	Marion	14,192.62	17,486.71	12,478.43	1,770.16	641.34	82.85	1,478.78	48,130.89
43	Martin	4,783.92	7,222.74	5,209.13	1,244.30	41.14	171.20	520.22	19,192.65
44	Monroe	2,299.32	3,127.23	2,206.80	847.00	53.37	11.46	191.53	8,736.71
45	Nassau	4,279.68	5,278.06	3,586.44	120.48	90.90	9.28	436.88	13,801.72
46	Okaloosa	10,368.50	12,890.46	8,700.53	1,035.59	241.56	65.14	714.91	34,016.69
47	Okeechobee	1,837.66	2,345.00	1,676.46	379.83	4.94	2.08	205.54	6,451.51
48	Orange	56,452.57	77,728.61	56,995.62	20,102.59	3,890.10	500.10	4,795.77	220,465.36
49	Osceola	18,655.93	28,309.59	21,488.13	8,592.90	543.18	99.38	1,776.71	79,465.82
50	Palm Beach	51,621.62	71,061.86	54,819.65	20,000.55	1,160.73	397.86	4,243.36	203,305.63
51	Pasco	25,260.07	33,689.66	23,767.80	2,866.88	1,102.09	148.89	1,700.82	88,536.21
52	Pinellas	28,289.60	36,338.82	27,488.03	3,562.98	1,024.46	163.83	2,823.13	99,690.85
53	Polk	34,030.54	45,017.30	32,827.88	7,607.29	486.54	494.30	3,077.67	123,541.52
54	Putnam	3,224.25	3,940.03	2,458.87	366.17	8.02	7.00	309.87	10,314.21 54,145.47
55 56	St. Johns St. Lucie	16,130.71 13,545.99	20,972.52 18,105.56	15,281.59 14,023.04	340.43 2,984.11	391.95 107.00	128.92 17.26	899.35 1,152.63	49,935.59
57	Santa Rosa	9,281.66	12,421.10	9,077.50	198.48	439.25	47.21	672.19	32,137.39
58	Santa Rosa Sarasota	13,100.02	18,547.85	13,452.29	2,183.31	439.25 634.71	96.05	957.62	48,971.85
59	Seminole	20,556.26	26,694.42	20,032.55	2,073.81	345.22	56.04	1,601.78	71,360.08
60	Sumter	3,167.71	3,814.19	2,476.28	2,075.61	68.54	2.53	323.41	10,068.08
61	Suwannee	1,886.26	2,348.34	1,614.01	158.76	2.19	1.04	178.45	6,189.05
62	Taylor	1,054.99	1,044.07	621.27	0.00	12.98	1.23	42.42	2,776.96
63	Union	858.64	917.65	467.40	0.00	3.34	3.10	101.35	2,351.48
64	Volusia	18,951.41	24,620.04	17,668.01	1,924.62	680.05	49.84	2,325.20	66,219.17
65	Wakulla	1,898.53	1,924.58	1,344.92	7.24	27.40	5.97	122.78	5,331.42
66	Walton	3,722.24	4,632.81	3,088.45	514.90	10.60	3.37	226.38	12,198.75
67	Washington	1,069.69	1,198.09	821.52	14.23	40.63	11.95	81.51	3,237.62
69	FAMU Lab School	187.79	230.76	184.03	0.00	0.00	0.00	3.67	606.25
70	FAU Lab - PB	240.43	381.17	693.05	3.08	0.00	0.00	0.00	1,317.73
71	FAU Lab - St. Lucie	572.65	838.86	0.00	43.03	1.20	0.00	0.00	1,455.74
72	FSU Lab - Broward	414.21	248.06	0.00	37.35	0.00	0.00	0.00	699.62
73	FSU Lab - Leon	446.59	754.83	613.57	10.44	0.00	0.00	66.83	1,892.26
74	UF Lab School	217.13	526.04	486.58	0.00	0.00	0.00	25.20	1,254.95
75	Virtual School	5,324.02	13,764.60	28,218.02	52.39	0.00	0.00	1,490.96	48,849.99
76	FSU Lab - Bay	0.00	0.00	125.00	0.00	0.00	0.00	0.00	125.00

837,516.89 1,112,586.28 835,103.33 207,353.75 26,656.36 5,302.98 70,562.86 3,095,082.45

#### Unweighted Non-Virtual FTE Detail

				ESOL-				Total
	Basic	Basic	Basic	Intensive	ESE	ESE	Career	Unweighted
	Education	Education	Education	English	Level	Level	Education	Non-Virtual
District	Grades K-3 -1-	Grades 4-8 -2-	Grades 9-12 -3-	Grades K-12	-5-	-6-	Grades 9-12 -7-	FTE -8-
								_
1 Alachua	9,886.99	12,241.01	8,125.09	637.41	49.66	12.95	548.46	31,501.57
2 Baker 3 Bay	1,613.87 8,131.73	1,856.77 10,107.17	1,096.00 7,021.97	8.71 1,145.35	17.16 660.35	2.41 106.92	320.46 564.99	4,915.38 27,738.48
4 Bradford	1,087.74	1,243.52	742.87	0.00	12.79	0.11	100.63	3,187.66
5 Brevard	24,283.33	29,706.25	21,453.07	1,697.09	786.11	105.86	1,216.74	79,248.45
6 Broward	71,025.22	96,990.85	74,168.11	21,521.66	1,909.21	576.43	5,929.72	272,121.20
7 Calhoun 8 Charlotte	641.61 4,908.01	752.13 6,342.88	514.20 5,310.51	8.53 359.94	26.25 177.91	1.35 36.40	85.76 426.71	2,029.83 17,562.36
9 Citrus	5,151.97	6,247.54	4,164.00	107.06	109.17	5.29	502.55	16,287.58
10 Clay	11,794.66	14,956.08	11,001.10	697.28	311.83	35.18	1,071.57	39,867.70
11 Collier	12,253.33	17,870.03	13,910.20	4,919.77	635.90	75.76	1,027.47	50,692.46
12 Columbia 13 Dade	3,578.04 86,737.82	3,855.06 121,649.10	2,221.87 93,368.55	71.14 52,904.69	66.96 3,938.99	3.53 644.38	448.81 7,692.42	10,245.41 366,935.95
14 De Soto	1,331.64	1,822.68	1,107.61	232.54	0.00	1.49	165.41	4,661.37
15 Dixie	729.04	781.85	498.42	21.33	10.88	4.58	89.75	2,135.85
16 Duval	44,828.86	51,377.45	35,174.75	5,994.17	1,046.95	221.75	1,544.42	140,188.35
17 Escambia 18 Flagler	12,820.05 3,818.66	14,805.40 5,356.70	10,131.19 4,072.44	561.26 276.10	176.43 119.51	88.00 26.44	1,243.82 350.88	39,826.15 14,020.73
19 Franklin	366.54	451.11	258.22	19.43	8.98	0.00	23.45	1,127.73
20 Gadsden	1,522.81	1,706.73	1,192.62	70.15	36.40	6.74	86.37	4,621.82
21 Gilchrist	991.84	1,124.79	606.66	52.29	55.67	8.37	94.44	2,934.06
22 Glades 23 Gulf	639.78 583.97	825.39 752.41	308.35 516.21	49.34 12.94	5.59 37.92	4.14 3.15	14.82 42.12	1,847.41 1,948.72
24 Hamilton	461.44	630.99	433.51	87.53	4.14	0.90	64.81	1,683.32
25 Hardee	1,418.05	1,888.11	1,220.70	208.47	10.39	2.69	137.64	4,886.05
26 Hendry	2,029.69	2,628.23	2,071.39	676.54	28.25	13.55	366.40	7,814.05
27 Hernando 28 Highlands	7,911.28 3,781.65	9,885.39 4,646.32	6,936.57 3,278.59	445.52 339.59	184.30 35.67	75.03 8.88	619.52 401.81	26,057.61 12,492.51
29 Hillsborough	62,952.71	84,056.96	58,872.66	16,707.11	2,157.53	349.51	5,811.50	230,907.98
30 Holmes	1,042.42	1,247.23	789.01	3.93	0.00	1.02	93.55	3,177.16
31 Indian River	5,120.63	6,590.15	4,891.75	600.42	144.78	22.58	432.69	17,803.00
32 Jackson 33 Jefferson	2,145.66 301.80	2,124.03 343.02	1,343.93 235.76	48.01 43.96	90.40 5.17	3.01 0.00	187.51 36.20	5,942.55 965.91
34 Lafayette	345.08	431.29	294.70	26.50	1.00	1.00	63.48	1,163.05
35 Lake	15,417.87	19,168.27	13,241.81	1,532.44	348.62	26.94	1,468.14	51,204.09
36 Lee	25,622.95	35,557.24	27,804.88	11,699.16	946.06	118.87	2,190.03	103,939.19
37 Leon 38 Levy	11,197.76 1,942.56	12,657.18 2,179.48	8,925.95 1,300.77	486.44 131.94	172.28 16.02	21.76 4.64	580.61 209.26	34,041.98 5,784.67
39 Liberty	401.66	484.45	313.20	9.05	18.78	9.99	65.94	1,303.07
40 Madison	754.83	882.93	623.70	11.75	10.80	0.00	95.08	2,379.09
41 Manatee	14,892.88 14,149.66	19,665.59	14,255.29	3,471.39	213.96	89.61	1,150.79	53,739.51
42 Marion 43 Martin	4,783.92	17,319.82 7,221.75	12,095.99 5,194.74	1,770.16 1,244.30	641.34 41.14	82.85 171.20	1,463.62 520.22	47,523.44 19,177.27
44 Monroe	2,296.23	3,123.78	2,197.92	847.00	53.37	11.46	191.53	8,721.29
45 Nassau	4,273.61	5,252.36	3,551.57	120.48	90.90	9.28	436.62	13,734.82
46 Okaloosa 47 Okeechobee	10,365.64 1,834.82	12,833.51 2,335.50	8,275.20 1,650.66	1,035.59 379.53	241.56 4.94	65.14 2.08	707.11 203.36	33,523.75 6,410.89
48 Orange	56,290.03	77,192.89	55,882.22	20,060.85	3,890.10	499.99	4,779.80	218,595.88
49 Osceola	18,312.15	27,702.77	21,213.90	8,574.24	543.18	98.83	1,775.53	78,220.60
50 Palm Beach	51,587.11	70,994.35	54,699.57	20,000.10	1,160.73	397.86	4,240.83	203,080.55
51 Pasco 52 Pinellas	25,188.26 28,262.61	33,373.02 36,195.46	22,902.49 27,103.19	2,859.32 3,562.49	1,100.89 1,024.11	148.76 163.83	1,555.73 2,819.71	87,128.47 99,131.40
53 Polk	33,967.84	44,867.36	32,662.07	7,601.22	486.54	494.30	3,071.49	123,150.82
54 Putnam	3,219.98	3,929.07	2,401.60	365.89	8.02	7.00	309.58	10,241.14
55 St. Johns	16,076.71	20,671.52	14,859.59	340.43	388.95	128.92	899.35	53,365.47
56 St. Lucie 57 Santa Rosa	13,511.15 9,105.23	18,027.74 12,071.18	13,944.58 8,750.78	2,983.64 179.83	107.00 439.25	17.26 47.21	1,150.88 672.19	49,742.25 31,265.67
58 Sarasota	13,097.67	18,533.55	13,357.00	2,183.31	634.71	96.05	955.54	48,857.83
59 Seminole	20,509.88	26,491.09	19,703.94	2,072.19	344.51	56.04	1,598.10	70,775.75
60 Sumter	3,164.78	3,804.68 2,319.40	2,444.09	214.80	68.37	2.53	323.16	10,022.41
61 Suwannee 62 Taylor	1,876.87 1,054.99	2,319.40 1,042.58	1,556.26 617.13	158.18 0.00	2.19 12.98	1.04 1.23	178.22 42.42	6,092.16 2,771.33
63 Union	858.64	917.65	467.40	0.00	3.34	3.10	101.35	2,351.48
64 Volusia	18,901.57	24,391.04	17,359.42	1,920.92	662.50	49.75	2,305.51	65,590.71
65 Wakulla	1,898.53	1,924.11	1,343.54 3,048.69	7.24	27.40	5.97	122.78	5,329.57
66 Walton 67 Washington	3,721.78 1,067.10	4,623.79 1,191.28	3,048.69 800.65	514.90 14.23	10.60 40.63	3.37 11.95	225.91 80.97	12,149.04 3,206.81
69 FAMU Lab School	187.79	230.76	184.03	0.00	0.00	0.00	3.67	606.25
70 FAU Lab - PB	240.43	381.17	693.05	3.08	0.00	0.00	0.00	1,317.73
71 FAU Lab - St. Lucie	572.65	838.86	0.00	43.03	1.20	0.00	0.00	1,455.74
72 FSU Lab - Broward 73 FSU Lab - Leon	414.21 446.59	248.06 754.73	0.00 613.07	37.35 10.44	0.00 0.00	0.00	0.00 66.83	699.62 1,891.66
74 UF Lab School	217.13	525.92	483.70	0.00	0.00	0.00	25.20	1,251.95
75 Virtual School	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
AIVIE 176 FSU Lab - Bay	0.00	0.00	125.00	0.00	0.00	0.00	0.00	125.00
<b>OVERS</b> TotalGHI	827,923.99	1,089,220.51	793,981.22	207,002.67	26,619.22	5,298.21	68,393.94	3,018,439.76
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					FL-	RKFVA	NKD-23-12	39-A-00025

#### Unweighted Public FTE Detail

						ESOL-				
			Basic	Basic	Basic	Intensive	ESE	ESE	Career	Total
			Education	Education	Education	English	Level	Level	Education	Unweighted
		District	Grades K-3	Grades 4-8 -2-	-3-	Grades K-12 -4-	-5-	-6-	Grades 9-12 -7-	FTE -8-
		District	-1-	-2-	-3-	-4-	-0-	-0-	-7-	-0-
	1	Alachua	8,504.90	10,767.98	7,662.86	638.48	34.91	8.00	550.52	28,167.65
		Baker	1,573.86	1,810.64	1,072.83	8.71	9.54	1.39	320.88	4,797.85
		Bay	7,923.62	9,868.00	6,965.06	1,145.35	587.80	95.53	570.10	27,155.46
		Bradford Brevard	949.07 21,869.27	1,094.24 27,462.85	689.73 20,607.38	0.00 1,697.79	12.79 599.15	0.42 61.79	100.75 1,226.63	2,847.00 73,524.86
		Broward	61,524.81	88,034.60	69,142.75	21,521.66	1,455.24	456.13	5,936.09	248,071.28
		Calhoun	631.54	756.26	553.57	8.53	23.09	1.35	86.89	2,061.23
		Charlotte	4,548.63	5,976.03	5,260.29	359.94	157.87	29.34	427.25	16,759.35
		Citrus	4,749.93	5,952.64	4,107.10	107.43	105.13	1.49	506.79	15,530.51
		Clay Collier	11,252.71 11,322.68	14,375.21 16,815.42	10,968.91 13,277.70	697.28 4,919.77	263.60 566.23	23.49 62.59	1,085.87 1,027.47	38,667.07 47,991.86
		Columbia	3,312.94	3,495.12	2,066.82	71.14	59.42	3.60	450.04	9,459.08
		Dade	70,642.23	110,320.48	86,473.37	52,916.80	3,000.00	450.00	7,700.92	331,503.80
		De Soto	1,277.48	1,738.62	1,070.34	232.85	0.00	0.24	167.59	4,487.12
		Dixie	697.84	719.07	462.46	21.33	9.09	4.58	90.05	2,004.42
		Duval	39,875.76	46,346.95	32,679.53	6,006.74	811.18	176.57	1,548.70	127,445.43
		Escambia Flagler	11,733.56 3,492.98	13,636.16 5,061.40	9,619.77 4,042.09	561.26 276.70	151.86 114.84	80.48 23.66	1,247.11 350.88	37,030.20 13,362.55
		Franklin	348.90	451.42	264.52	19.43	7.00	0.00	23.63	1,114.90
	20	Gadsden	1,359.53	1,519.18	1,077.15	70.15	32.54	4.71	86.52	4,149.78
		Gilchrist	902.31	1,031.60	576.26	52.29	47.48	6.18	95.08	2,711.20
		Glades Gulf	615.58 551.05	805.90 707.26	306.23 506.75	49.34 12.94	5.59 36.91	4.14 1.89	14.82 42.30	1,801.60 1,859.10
		Hamilton	415.46	577.02	415.49	87.53	3.30	0.90	42.30 65.27	1,564.97
		Hardee	1,382.26	1,858.85	1,241.87	208.47	10.39	1.50	138.24	4,841.58
		Hendry	3,120.40	4,712.95	4,024.68	747.30	27.98	13.49	720.09	13,366.89
		Hernando	7,173.52	9,261.09	6,737.29	446.69	128.02	50.50	628.43	24,425.54
		Highlands	3,400.78	4,322.68	3,235.55	340.40	32.50	8.88	406.11	11,746.90
		Hillsborough Holmes	58,623.72 1,007.08	79,657.01 1,235.44	56,819.56 825.02	16,794.64 3.93	1,817.99 0.00	271.83 1.02	5,811.50 93.72	219,796.25 3,166.21
		Indian River	4,739.02	6,091.54	4,710.38	600.42	132.50	17.86	432.79	16,724.51
		Jackson	2,066.35	2,067.11	1,346.20	48.01	85.23	1.79	188.13	5,802.82
		Jefferson	213.07	238.36	174.97	43.96	4.05	0.00	36.28	710.69
		Lafayette	331.35	416.81	288.18	26.50	1.00	1.00	63.48	1,128.32
		Lake Lee	14,038.36 23,952.58	17,822.66 33,893.36	12,586.10 27,046.08	1,534.42 11,706.68	265.57 904.75	21.62 102.76	1,470.89 2,200.93	47,739.62 99,807.14
		Leon	10,288.16	11,821.68	8,485.61	486.44	145.34	15.69	581.51	31,824.43
		Levy	1,820.81	2,043.76	1,237.69	131.94	13.04	4.64	209.88	5,461.76
	39	Liberty	392.96	479.35	315.12	9.05	14.96	6.14	65.94	1,283.52
		Madison	716.52	861.15	614.24	11.75	10.80	0.00	95.08	2,309.54
		Manatee Marion	13,815.59 12,749.65	18,316.86 16,089.48	13,541.46 11,824.04	3,471.39 1,770.16	121.15 582.45	74.66 78.64	1,150.79 1,478.78	50,491.90 44,573.20
		Martin	4,332.56	6,758.30	5,081.60	1,770.16	35.60	162.13	520.22	18,134.71
		Monroe	2,104.40	2,998.18	2,174.94	847.00	49.41	11.46	191.53	8,376.92
		Nassau	3,928.47	4,942.51	3,443.53	120.48	82.61	8.26	436.88	12,962.74
		Okaloosa	9,527.48	12,098.18	8,455.84	1,035.59	206.99	55.29	714.91	32,094.28
		Okeechobee Orange	1,666.41 50,402.83	2,237.68 72,234.56	1,659.01 54,306.12	379.83 20,102.59	4.94 3,263.67	1.21 377.38	205.54 4,795.77	6,154.62 205,482.92
		Osceola	16,551.99	26,153.17	20,092.17	8,592.90	444.08	77.93	1,776.71	73,688.95
		Palm Beach	45,613.68	64,727.83	51,031.06	20,000.55	956.50	334.75	4,243.36	186,907.73
	51	Pasco	23,850.16	32,013.15	22,809.61	2,866.88	923.96	101.28	1,700.82	84,265.86
		Pinellas	24,434.12	31,404.37	24,816.97	3,562.98	856.91	123.04	2,823.13	88,021.52
		Polk Putnam	31,171.30 3,045.02	41,653.62 3,753.72	31,275.54 2,384.97	7,607.29 366.17	400.86 8.02	437.26 6.12	3,077.67 309.87	115,623.54 9,873.89
		St. Johns	15,150.65	19,922.80	14,856.64	340.43	275.96	80.95	899.35	51,526.78
		St. Lucie	11,911.40	16,890.12	13,483.82	2,984.11	69.73	10.35	1,152.63	46,502.16
		Santa Rosa	8,571.77	11,801.81	8,842.09	198.48	406.19	43.09	672.19	30,535.62
		Sarasota	11,875.04	17,271.14	12,696.35	2,183.31	536.39	80.18	957.62	45,600.03
		Seminole Sumtor	18,156.65	23,869.32	18,681.98 2,421.24	2,073.81	195.68	21.69	1,601.78	64,600.91
		Sumter Suwannee	3,058.03 1,741.64	3,697.37 2,176.12	2,421.24 1,507.87	215.42 158.76	50.94 2.19	2.53 0.00	323.41 178.45	9,768.94 5,765.03
		Taylor	964.13	965.68	583.87	0.00	11.94	1.23	42.42	2,569.27
	63	Union	833.54	880.86	450.40	0.00	2.36	2.12	101.35	2,270.63
		Volusia	17,057.12	22,801.51	16,848.15	1,924.62	556.50	31.24	2,325.20	61,544.34
		Wakulla Walton	1,830.07 3,431.20	1,859.00 4,363.42	1,294.07 2,996.65	7.24	26.19 9.55	5.97 1.35	122.78	5,145.32 11,543.45
		Washington	1,002.71	4,363.42 1,140.62	2,996.65 799.18	514.90 14.23	9.55 38.68	11.95	226.38 81.51	3,088.88
		FAMU Lab School	187.79	230.76	184.03	0.00	0.00	0.00	3.67	606.25
	70	FAU Lab - PB	240.43	381.17	693.05	3.08	0.00	0.00	0.00	1,317.73
		FAU Lab - St. Lucie	572.65	838.86	0.00	43.03	1.20	0.00	0.00	1,455.74
		FSU Lab Loop	414.21	248.06	0.00	37.35	0.00	0.00	0.00	699.62
		FSU Lab - Leon UF Lab School	446.59 217.13	754.83 526.04	613.57 486.58	10.44 0.00	0.00 0.00	0.00	66.83 25.20	1,892.26 1,254.95
		Virtual School	5,324.02	13,764.60	28,218.02	52.39	0.00	0.00	1,490.96	48,849.99
		FSU Lab - Bay	0.00	0.00	125.00	0.00	0.00	0.00	0.00	125.00
O//FI	$\mathbb{Q}^{Q}$	SIGHT	740 504 04	4 005 070 55	700 000 00	007.050.75	04 000 00	4.450.05	70 500 00	0.007.540.05
VLI	1	Total	749,524.01	1,025,873.55	788,236.92	207,353.75	21,809.33	4,159.25	70,562.86	2,867,519.67
							FI	-RRFV	ARD-23-13	239-A-0002

## Program Cost Factors (Weights)

	Program Name	Program <u>Number</u>	2023-2024 Cost <u>Factor</u>
1	Basic Programs		
	Basic Education Grades K-3 Basic Education Grades 4-8 Basic Education Grades 9-12	101 102 103	1.122 1.000 0.988
2	Intensive Programs for At-Risk Students		
	English for Speakers of Other Languages (ESOL)	130	1.208
3	Special Programs for Exceptional Students		
	Support Level IV Support Level V	254 255	3.706 5.707
4	Special Programs for Career Education (9-12)		
	Career Education (9-12)	300	1.072



#### Reported Weighted FTE

Basic   Basic   Basic   Carden   Card					ESOL-			I		
District	Total	Career	FSF	FSF		Basic	Basic	Basic		
District	All									
1.	Programs	I							District	
2 Baker 1,811,51 1,856,83 1,084,49 10,52 63,59 13,75 343,98 4 Bradford 1,221,05 1,472,67 1,703,34 1,383,58 2,447,26 610,19 611,15 5 Brevard 27,297,34 2,980,244 1,544,07 1,557 0,00 47,40 2,40 108,00 1,472,67 1,57 1,57 1,57 1,57 1,57 1,57 1,57 1,5	-8-									
2 Baker 1,811.51 1,856.83 1,084.49 10.52 63.59 13.75 343.98 3 Bay 9,139.25 10.147.26 7.071.34 13.83.58 2,447.26 610.19 611.15 5 Brevard 27,297.34 2,980.24 1,254.92 0,205.93 2,913.2 604.14 1,314.95 6 Broward 79,731.53 97,144.44 73,562.76 25.998.17 7,075.53 3,289.69 6,363.49 1										
3 Bay	33,269.27									
4 Bradford         1,221,05         1,245,71         753,75         0.00         47,40         2.40         108.00           5 Breward         27,297,34         29,892,84         21,599,207         2,059,93,17         7,075,53         3,289,69         6,363,49           7 Calhoun         721,20         762,30         548,92         10,30         97,28         7,70         93,15           8 Charlotte         5,516,46         6,369,06         5,340,12         434,81         659,33         211,04         458,01           9 Citrus         5,798,29         6,307,46         4,181,06         129,78         404,58         30,82         543,28           10 Clay         13,269,39         15,042,04         11,179,55         842,31         1,156,64         200,77         1,164,05           11 Collier         13,769,11         17,958,55         31,743,77         594,308         23,566,65         423,61         1,104,05           12 Dadie         4,014,56         3,859,97         2,221,43         85,94         248,15         36,774         82,42,44           13 Dade         7,535,24         1,220,63         1,108,02         281,28         0.00         8,50         179,66           15 Divie         817,99 <td>5,184.67</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>	5,184.67									
5 Brevard         27,297,34         29,892,84         21,549,20         2,050,93         2,913,22         604,14         1,314,95           6 Broward         79,731,53         77,444         73,562,78         25,998,17         7,075,53         3,296,96         3,037,46         4,181,06         10,30         97,28         7,70         93,15           8 Charlotte         5,519,66         6,369,06         5,340,12         1,438,81         669,33         211,04         48,01           9 Citrus         5,798,29         6,307,46         4,181,06         122,78         404,88         30,82         343,28           10 Clay         13,269,92         15,042,04         11,179,55         5,943,08         2,356,65         432,36         1,104,145           12 Columbie         4,014,56         3,859,97         2,221,43         86,94         248,15         262,44         482,44           13 Dade         97,555,54         122,063,52         29,612,73         63,923,49         14,634,55         3,677,48         8,255,99           14 De Soto         817,98         781,98         499,29         25,77         40,32         26,14         96,53           16 Duval         50,555,60         61,942,40         35,69,20         7,266,14<	31,352.03									
6 Broward         79,73153         87,144,44         73,562,78         25,998,17         7,075,53         3,288,69         6,334,81           7 Calhoun         721,20         762,30         548,92         10,30         97,28         7,70         93,15           8 Charlotte         5,515,46         6,399,08         5,340,12         434,81         659,33         211,04         48,801           10 Clay         13,269,392         15,042,04         11,179,55         842,31         1,155,64         200,77         1,164,05           11 Collier         13,769,11         17,798,65         5,743,08         2,356,65         432,36         1,101,45           12 Columbia         4,014,56         3,899,97         2,221,43         8,544         284,15         26,42         482,44           30 Dade         97,535,24         122,063,25         2,612,13         3,828,11         2,877,48         2,825,39           14 De Soto         1,499,82         1,298,33         1,108,02         2,817,44         3,433,47         4,484,45         3,877,48         2,825,33           15 Divis         8179         81,240         3,696,20         7,256,14         3,828,11         1,266,21           15 Divis         81,241,41         4,813,	3,378.31 85,622.72									
7 Calhoun         721 20         762 30         548 92         10 30         97 28         7.70         93 15           8 Charlotte         5,516 46         6,369 06         5,340 12         43 811         659 33         21 10         438 01           10 Clay         13,263 92         15,042 04         1,1179,55         842,31         1,156 64         20,077         1,164 05           11 Collier         13,759,11         17,988,55         13,743,77         5,943,08         2,356 65         432,36         1,101 45           12 Columbia         4,014,66         3,859,91         2,221,43         86,94         248,15         26,42         482,44           13 Dade         97,555,24         122,063,52         92,612,73         63,923,49         14,634,55         3,677,48         82,553,9           14 De Soto         817,98         781,98         499,29         25,77         40,32         26,14         96,53           16 Duval         50,555,60         15,194,20         35,696,20         7,256,14         3,882,81         12,625,33         1,665,21           17 Escambia         14,410,12         14,889,69         10,147,51         670,00         653,85         502,22         1,336,90           18 Flagler	293,165.63									
8 Charlotte   5.515.46   6.369.06   5.340.12   434.81   659.33   211.04   488.01   9 Citrus   13.269.92   15.042.04   11.179.55   842.31   1.155.64   200.77   1.164.05   11 Collier   13.759.11   17.958.55   842.31   1.155.64   200.77   1.164.05   12 Columbia   4.014.66   3.889.97   2.221.43   8.59.44   248.15   26.42   482.44   13 Dade   97.535.24   122.063.52   22.612.73   6.89.23.94   14.68.45   3.877.48   8.253.91   14 De Soto   1.499.82   1.29.63   1.108.02   281.28   0.00   8.50   179.66   15 Divis   817.98   781.98   499.29   2.577   40.32   2.614   96.53   16 Duval   50.555.60   51.942.40   35.696.20   7.256.14   3.882.81   1.265.53   1.660.21   17 Escambia   14.410.12   14.859.69   10.147.51   678.00   653.85   502.22   1.336.90   18 Flagler   4.311.83   5.401.67   4.132.68   334.25   442.90   152.09   376.14   19 Franklin   412.09   456.98   270.59   23.47   33.28   0.00   25.33   20 Gadsden   1.709.71   1.711.98   1.191.40   84.74   134.90   38.47   92.75   21 Gilchrist   1.114.27   1.351.29   626.23   63.17   206.31   47.77   101.32   22 Gilades   7.191.77   634.10   438.42   105.74   15.43   5.14   69.97   23 Gulf   655.21   752.93   517.37   15.63   14.05.33   51.49   59.97   24 Hamilton   517.74   634.10   438.42   105.74   15.34   5.14   69.97   25 Hardee   1.592.57   1.890.96   7.026.94   41.92.9   82.81   77.194   26 Hardee   1.592.57   1.890.96   7.026.94   41.92.9   82.81   77.194   27 Hemando   8.878.71   9.999.24   7.026.44   53.90   638.02   431.73   673.68   28 Hijshands   4.265.43   4.688.61   3.300.55   4.199.6   53.00   63.02   431.73   673.68   29 Hijshands   4.265.43   4.688.61   3.300.55   4.199.6   50.02   3.11   5.06   5.22   3.00   30 Holmes   1.716.44   1.270.17   8.279   8.279   8.279   8.281   7.719.4   8.290.2   8.290   7.290.4   8.290.2   8.291   7.719.4   8.290.2   8.290.2   8.290   7.719.4   8.290.2   8.290.2   8.290.2   8.290.2   8.290.2   8.290.2   8.290.2   8.290.2   8.290.2   8.290.2   8.290.2   8.290.2   8.290.2   8.290.2   8.290.2   8.290.2   8.290.2   8.290.2   8.29	2,240.85									
Pocked   Citrus	18,987.83									
10   Clay	17,395.27									-
11   Collier   13,799.11   17,958.55   13,743.77   5,943.08   2,356.65   432.36   1,101.45     12   Columbia   4,014.56   3,859.97   2,221.43   85.94   248.15   26.42   482.44     13   Dade   97,535.24   122,063.52   92,612.73   63,923.49   14,634.55   3,677.48   8,255.39     15   Dixle   817.98   781.98   499.29   25.77   40.32   26.14   96.55     16   Dixle   50,555.60   51,942.40   35,696.20   7,256.14   3,882.81   122.09   376.14     16   Escambia   14,410.12   14,859.69   10,147.51   678.00   653.85   502.22   1,336.90     17   Escambia   14,410.12   14,859.69   10,147.51   678.00   653.85   502.22   1,336.90     18   Flapler   4,311.83   5,401.57   4,132.68   334.25   442.90   384.7   92.75     19   Franklin   412.09   456.98   270.59   23.47   33.28   0.00   25.33     20   Gadsden   17,09.71   1,711.98   1,191.40   84.74   134.90   384.7   92.75     21   Gilchitst   1,114.27   1,131.29   628.23   63.17   206.31   47.77   101.93     22   Glades   719.17   827.91   307.11   59.60   20.72   23.63   15.89     23   Gulf   655.21   752.93   517.37   59.60   20.72   23.63   15.89     24   Hamilton   517.74   634.10   438.42   105.74   15.34   5.14   69.97     25   Hardee   1.592.57   1,899.96   1,233.40   251.83   38.51   15.35   148.19     26   Hendry   3,681.66   4,913.39   4,047.84   902.74   108.29   82.81   771.94     27   Hernando   8,878.71   9,999.28   7,026.84   539.60   683.02   431.73   673.88     28   Highlands   4,255.43   4,688.61   3,300.55   411.20   132.19   50.66   435.35     29   Hillsbrough   1,171.64   1,270.17   827.79   4.75   0.00   5.82   100.47     31   Indian River   5,751.87   6,665.33   4,852.10   1,283.85   1,298.32   1,394.65     32   Jackson   2,414.40   2,138.22   1,386.46   53.10   3,71   5,71   68.05     33   Jefferson   38.62   343.31   238.46   53.10   3,71   5,71   68.05     34   Lafayette   387.18   431.29   21.69   32.01   3,71   5,71   68.05     35   Lake   72,509.41   3,282.12   1,366.90   3,299.77   68.84     35   Lake   7,350.13   7,368.86   63.399.87   7,728.86   4	42,848.28									10
13   Dade	55,294.97	1,101.45	432.36	2,356.65	5,943.08	13,743.77	17,958.55	13,759.11	Collier	11
14 De Soto	10,938.91									
15   Dixie	402,702.40									
16   Duval	4,906.91									
17   Escambia   14,410,12   14,859,69   10,147,51   678,00   653,85   502,22   1,336,90   18   Flaggler   4,311,83   5,401,57   4,132,68   334,25   44,290   152,09   376,14   19   Franklin   412,09   456,98   270,59   23,47   33,28   0,00   25,33   20   Gadsden   1,709,71   1,711,98   1,191,40   84,74   134,90   38,47   92,75   21   Gilchrist   1,114,27   1,131,29   626,23   63,17   206,31   47,77   101,93   22   Glades   719,17   827,91   307,11   59,60   20,72   23,63   15,89   24   Hamilton   517,74   634,10   438,42   105,74   15,34   5,14   69,97   25   Hamilton   517,74   634,10   438,42   105,74   15,34   5,14   69,97   25   Hamilton   517,74   634,10   438,42   105,74   15,34   5,14   69,97   26   Hendry   3,861,66   4,913,39   4,047,84   902,74   108,29   82,81   771,94   27   Hernando   8,878,71   9,999,28   7,026,84   539,60   683,02   82,81   771,94   27   Hernando   8,878,71   9,999,28   7,026,84   539,60   683,02   82,81   771,94   27   Hernando   71,834,41   85,693,49   59,461,89   20,287,93   7,995,81   1,994,65   6,229,93   30   Hollmes   1,171,64   1,270,17   827,79   4,75   0,00   5,82   100,47   31   Indian River   5,751,87   6,605,33   4,852,10   725,31   536,55   128,86   463,95   32   Jackson   2,414,40   2,138,22   3,384,6   53,10   19,16   0,00   3,889   34   Lafayette   387,18   431,29   291,89   32,01   371   5,71   68,05   31   Lafayette   387,18   431,29   291,89   32,01   371   5,71   68,05   31   Lafayette   387,48   31,29   291,89   32,01   371   5,71   68,05   31   Lafayette   15,924,12   17,486,71   12,328,89   2,138,35   2,376,81   472,82   1,585,50   40   40   Madison   849,72   888,61   621,28   14,19   40,02   0,00   10,19   31   10,10   10,20   4,14,40   4,	2,288.01									
18 Flagler         4,311,83         5,401,57         4,132,68         334,25         442,90         152,09         376,14           19 Franklin         412,09         456,98         270,59         23,47         332,82         0,00         25,33           20 Gadsden         1,709,71         1,711,98         1,191,40         84,74         134,90         38,47         92,75           21 Gilchrist         1,114,27         1,313,29         626,23         63,17         206,31         47,77         101,93           23 Gulf         655,21         752,93         517,37         15,63         140,53         17,98         45,35           24 Hamilton         517,74         634,10         438,42         165,74         15,34         514         69,97           25 Hardee         1,592,57         1,890,96         1,233,40         251,83         38,51         15,35         148,19           26 Hendry         3,681,66         4,913,39         4,047,84         902,74         108,29         82,81         771,94           27 Hernando         8,878,71         9,999,28         7,026,84         599,60         683,02         431,73         673,68           28 Hijbhands         4,255,43         4,688,61	152,258.89									
19   Franklin	42,588.29 15,151.46									
20   Gadsden	15,151.40					,	-, -			
Collaboration	4,963.95									
22         Glades         719.17         827.91         307.11         59.60         20.72         23.63         15.89           23         Gulf         655.21         752.93         517.37         15.63         140.53         17.98         45.35           24         Hamilton         517.74         634.10         438.42         105.74         15.34         5.14         69.97           25         Hardee         1,592.57         1,890.96         1,233.40         251.83         38.51         15.35         148.19           26         Hendry         3,681.66         4,913.39         4,047.84         902.74         108.29         82.81         771.94           27         Hernando         8,878.71         9,999.28         7,026.84         539.60         683.02         431.73         673.68           28         Highlands         4,255.43         4,688.61         3,300.55         411.20         21.95         0.08         830.2         431.73         673.68         6,229.93           30         Hollmes         1,171.64         1,270.17         827.79         4.75         0.00         5.82         100.47           31         Indian River         5,751.87         6,605.33	3,290.97									
23         Gulf         655.21         752.93         517.37         15.63         140.53         17.88         45.35           24         Hamilton         517.74         634.10         438.42         105.74         15.34         5.14         69.97           25         Hardee         1,592.57         1,890.96         1,233.40         251.83         38.51         15.35         148.19           26         Hendry         3,681.66         4,913.39         4,047.84         902.74         108.29         82.81         771.94           27         Hernando         8,878.71         9.99.28         7,026.84         59.60         683.02         431.73         673.68           28         Highbands         4,255.43         4,688.61         3,300.55         411.20         132.19         50.68         495.35           29         Hillsborough         71,716.44         1,270.17         827.79         4.75         0.00         5.82         100.47           31         Indian River         5,751.87         6,605.33         4,852.10         725.31         536.55         128.86         463.95           32         Jackson         2,414.00         2,138.22         1,358.48         58.00	1,974.03									
24         Hamilton         517.74         634.10         438.42         105.74         15.34         5.14         69.97           26         Hendry         3,681.66         4,913.39         4,047.84         902.74         108.29         82.81         1771.94           27         Hernando         8,878.71         9,999.28         7,026.84         539.60         683.02         431.73         673.68           28         Highlands         4,255.43         4,688.61         3,300.55         411.20         132.19         50.68         435.35           29         Hillsborough         71,834.41         85,669.49         59,461.89         20,287.93         7,995.81         1,994.65         6,229.93           30         Holmes         1,171.64         1,270.17         827.79         4.75         0.00         5.82         100.47           31         Indian River         5,751.87         6,605.33         4,852.10         725.31         536.55         128.86         463.95           32         Jackson         2,414.40         2,138.22         1,358.48         58.00         335.02         17.18         201.68           33         Jefferson         338.62         343.11         239.69         <	2,145.00		17.98	140.53	15.63	517.37	752.93		Gulf	23
26         Hendry         3,681,66         4,913,39         4,047,84         902,74         108,29         82,81         771,94           27         Hernando         8,878,71         9,999,28         7,026,84         539,60         683,02         431,73         673,68           28         Hilghlands         4,255,43         4,688,61         3,300,55         411,20         132,19         50,68         435,35           29         Hillsborough         71,834,41         85,669,49         59,461,89         20,287,93         7,995,81         1,994,65         6,229,93           30         Holmes         1,171,64         1,270,17         827,79         4,75         0,00         5.82         100,47           31         Indian River         5,751.87         6,605,33         4,852,10         725,31         536,55         128,86         463,95           32         Jackson         2,414,40         2,138,22         1,358,48         58,00         335,02         17,18         201,68           34         Lafayette         387,18         431,29         291,69         32,01         3,71         5,71         68,05           35         Lake         17,350,13         19,283,16         13,241,01	1,786.45	69.97		15.34	105.74	438.42	634.10			
27 Hernando         8,878,71         9,999,28         7,026,84         539,60         683,02         431,73         673,68           28 Highlands         4,255,43         4,688,61         3,300,55         411,20         32,19         50,68         435,35           30 Hollmes         1,171,64         1,270,17         827,79         4,75         0,00         5,82         100,47           31 Indian River         5,751,87         6,605,33         4,852,10         725,31         536,55         128,86         463,95           32 Jackson         2,414,40         2,138,22         1,358,48         58,00         335,02         17,18         201,68           33 Jefferson         338,62         343,31         238,46         53,10         19,16         0,00         38,89           34 Lafayette         387,18         431,29         291,69         32,01         3,71         5,71         68,05           35 Lake         17,350,13         19,283,16         13,241,01         1,855,58         1,298,32         153,75         1,576,79           36 Lee         28,801,13         35,734,78         27,655,63         14,141,67         3,509,17         678,39         2,359,40           30 Liberty         450,66	5,170.81									
28 Highlands         4,255,43         4,688,61         3,000.55         411.20         132.19         50.68         435.35           29 Hillsborough         71,834.41         85,669,49         59,461.89         20,287.93         7,995.81         1,994.65         6,229.93           30 Holmes         1,171.64         1,270.17         827.79         4.75         0.00         5.82         100.47           31 Indian River         5,751.87         6,605.33         4,852.10         725.31         536.55         128.86         463.95           32 Jackson         2,414.40         2,138.22         1,358.48         58.00         335.02         17.18         201.69           34 Lafayette         387.18         431.29         291.69         32.01         3.71         5.71         68.05           35 Lake         17,350.13         19,283.16         13,241.01         1,853.58         1,298.32         153.75         1,576.79           36 Lee         28,801.13         35,734.78         27,655.63         14,141.67         3,509.17         678.39         2,359.40           37 Leon         12,584.50         12,884.91         8,865.10         587.62         638.47         124.18         623.38           38 Levy	14,508.67									
29	28,232.86									
30   Holmes	13,274.01									
31   Indian River   5,751.87   6,605.33   4,852.10   725.31   536.55   128.86   463.95   32   Jackson   2,414.40   2,138.22   1,358.48   58.00   335.02   17.18   201.68   33   Jefferson   338.62   343.31   238.46   53.10   19.16   0.00   38.89   34   Lafayette   387.18   431.29   291.69   32.01   3.71   5.71   68.05   35   Lake   17,350.13   19,283.16   13,241.01   1,853.58   1,298.32   153.75   1,576.79   36   Lee   28,801.13   35,734.78   27,655.63   14,141.67   3,509.17   678.39   2,359.40   37   Leon   12,584.50   12,684.91   8,855.10   587.62   638.47   124.18   623.38   38   Levy   2,180.88   2,189.12   1,306.10   159.38   59.37   26.48   224.99   39   Liberty   450.66   485.15   313.21   10.93   69.60   57.01   70.69   40   Madison   849.72   888.61   621.28   14.19   40.02   0.00   101.93   41   Manatee   16,713.91   19,671.03   14,102.08   4,193.44   792.94   511.40   1,233.65   42   Martin   5,367.56   7,222.74   5,146.62   1,503.11   152.46   977.04   557.68   44   Monroe   2,579.84   3,127.23   2,180.32   1,023.18   197.79   65.40   205.32   45   Nassau   4,801.80   5,278.06   3,543.40   145.54   336.88   52.96   468.34   46   Okaloosa   11,633.46   12,890.46   8,566.12   1,250.99   895.22   371.75   766.38   47   Okeechobee   2,061.85   2,345.00   1,656.34   458.83   18.31   11.87   220.34   48   Orange   63,339.78   77,728.61   56,311.67   24,283.93   14,416.71   2,854.07   5,141.07   49   Osceola   20,931.95   28,309.59   21,230.27   10,380.22   2,013.03   567.16   1,904.63   50   Palm Beach   57,919.46   71,061.86   54,161.81   24,160.66   4,301.67   2,270.59   4,548.88   51   Pasco   28,341.80   33,689.66   23,482.59   3,463.19   4,084.35   849.72   1,823.28   52   Pinellas   31,740.93   36,338.82   27,158.17   4,304.08   3,796.65   934.98   3,026.40   53   Polk   38,862.27   45,017.30   32,433.95   3,483.19   4,084.35   849.72   1,823.28   55   51.50hs   18,086.66   20,972.52   15,088.21   411.24   1,452.57   735.75   964.10   56   51.50hs   18,085.56   13,547.65   13,290.86   2,637.44   2,3	253,474.11 3,380.64									
32 Jackson         2,414.40         2,138.22         1,358.48         58.00         335.02         17.18         201.68           33 Jefferson         338.62         343.31         238.46         53.10         19.16         0.00         38.89           34 Lafayette         387.18         431.29         291.69         32.01         3.71         5.71         68.05           35 Lake         17,350.13         19,283.16         13,241.01         1,853.58         1,298.32         153.75         1,576.79           36 Lee         28,801.13         35,734.78         27,655.63         14,141.67         3,509.17         678.39         2,359.40           37 Leon         12,584.50         12,684.91         8,855.10         587.62         638.47         124.18         623.38           38 Levy         2,180.88         2,189.12         1,306.10         159.38         59.37         26.48         224.99           39 Liberty         450.66         485.15         313.21         10.93         69.60         57.01         70.69           40 Madison         849.72         888.61         621.28         14.19         40.02         0.00         101.93           41 Marate         16,713.91         19,671.03	19,063.97									
33         Jefferson         338.62         343.31         238.46         53.10         19.16         0.00         38.89           34         Lafayette         387.18         431.29         291.69         32.01         3.71         5.71         68.05           35         Lake         17,350.13         19,283.16         13,241.01         1,853.58         1,298.32         153.75         1,576.79           36         Lee         28,801.13         35,734.78         27,655.63         14,141.67         3,509.17         678.39         2,359.40           37         Leon         12,584.50         12,684.91         8,855.10         587.62         638.47         124.18         623.38           38         Levy         2,180.88         2,189.12         1,306.10         159.38         59.37         26.48         224.99           39         Liberty         450.66         485.15         313.21         10.93         69.60         57.01         70.69           40         Madison         849.72         888.61         621.28         14.19         40.02         0.00         101.93           41         Marion         15,924.12         17,486.71         12,238.69         2,138.35         2	6,522.98									
34         Lafayette         387.18         431.29         291.69         32.01         3.71         5.71         68.05           35         Lake         17,350.13         19,283.16         13,241.01         1,853.58         1,298.32         153.75         1,576.79           36         Lee         28,801.13         35,734.78         27,655.63         14,141.67         3,509.17         678.39         2,359.40           37         Leon         12,584.50         12,684.91         8,855.10         587.62         638.47         124.18         623.38           38         Levy         2,180.88         2,189.12         1,306.10         159.38         59.37         26.48         224.99           39         Liberty         450.66         485.15         313.21         10.93         69.60         57.01         70.69           40         Madison         849.72         888.61         621.28         14.19         40.02         0.00         101.93           41         Manatee         16,713.91         19,671.03         14,102.08         4,193.44         792.94         511.40         1,233.65           42         Martin         5,367.56         7,222.74         5,146.62         1,503.11	1,031.54									
35         Lake         17,350.13         19,283.16         13,241.01         1,853.58         1,298.32         153.75         1,576.79           36         Lee         28,801.13         35,734.78         27,655.63         14,141.67         3,509.17         678.39         2,359.40           37         Leon         12,584.50         12,684.91         8,855.10         587.62         638.47         124.18         623.38           38         Levy         2,180.88         2,189.12         1,306.10         159.38         59.37         26.48         224.99           39         Liberty         450.66         485.15         313.21         10.93         69.60         57.01         70.69           40         Madison         849.72         888.61         621.28         14.19         40.02         0.00         101.93           41         Manathee         16,713.91         19,671.03         14,102.08         4,193.44         792.94         511.40         1,233.65           42         Marion         15,924.12         17,486.71         12,328.69         2,138.35         2,376.81         472.82         1,585.25           43         Martin         5,367.56         7,222.74         5,146.62	1,219.64									
37 Leon         12,584.50         12,684.91         8,855.10         587.62         638.47         124.18         623.38           38 Levy         2,180.88         2,189.12         1,306.10         159.38         59.37         26.48         224.99           39 Liberty         450.66         485.15         313.21         10.93         69.60         57.01         70.69           40 Madison         849.72         888.61         621.28         14.19         40.02         0.00         101.93           41 Manatee         16,713.91         19,671.03         14,102.08         4,193.44         792.94         511.40         1,233.65           42 Marion         15,924.12         17,486.71         12,328.69         2,138.35         2,376.81         472.82         1,585.25           43 Martin         5,367.56         7,222.74         5,146.62         1,503.11         152.46         977.04         557.68           44 Monroe         2,579.84         3,127.23         2,180.32         1,023.18         197.79         65.40         205.32           45 Nassau         4,801.80         5,278.06         3,543.40         145.54         336.88         52.96         468.34           46 Okaloosa         11,633.46	54,756.74									
38         Levy         2,180.88         2,189.12         1,306.10         159.38         59.37         26.48         224.99           39         Liberty         450.66         485.15         313.21         10.93         69.60         57.01         70.69           40         Madison         849.72         888.61         621.28         14.19         40.02         0.00         101.93           41         Manatee         16,713.91         19,671.03         14,102.08         4,193.44         792.94         511.40         1,233.65           42         Marion         15,924.12         17,486.71         12,328.69         2,138.35         2,376.81         472.82         1,585.25           43         Martin         5,367.56         7,222.74         5,146.62         1,503.11         152.46         977.04         557.68           44         Monroe         2,579.84         3,127.23         2,180.32         1,023.18         197.79         65.40         205.32           48         Nassau         4,801.80         5,278.06         3,543.40         145.54         336.88         52.96         468.34           47         Okeechobee         2,061.85         2,345.00         1,656.34         458.	112,880.17	2,359.40	678.39	3,509.17	14,141.67	27,655.63	35,734.78	28,801.13	Lee	36
39 Liberty         450.66         485.15         313.21         10.93         69.60         57.01         70.69           40 Madison         849.72         888.61         621.28         14.19         40.02         0.00         101.93           41 Manatee         16,713.91         19,671.03         14,102.08         4,193.44         792.94         511.40         1,233.65           42 Marion         15,924.12         17,486.71         12,328.69         2,138.35         2,376.81         472.82         1,585.25           43 Martin         5,367.56         7,222.74         5,146.62         1,503.11         152.46         977.04         557.68           44 Monroe         2,579.84         3,127.23         2,180.32         1,023.18         197.79         65.40         205.32           45 Nassau         4,801.80         5,278.06         3,543.40         145.54         336.88         52.96         468.34           46 Okaloosa         11,633.46         12,890.46         8,596.12         1,250.99         895.22         371.75         766.38           47 Okeechobee         2,061.85         2,345.00         1,656.34         458.83         18.31         11.87         220.34           48 Orange         63,339.	36,098.16									
40         Madison         849.72         888.61         621.28         14.19         40.02         0.00         101.93           41         Manatee         16,713.91         19,671.03         14,102.08         4,193.44         792.94         511.40         1,233.65           42         Marion         15,924.12         17,486.71         12,328.69         2,138.35         2,376.81         472.82         1,585.25           43         Martin         5,367.56         7,222.74         5,146.62         1,503.11         152.46         977.04         557.68           44         Monroe         2,579.84         3,127.23         2,180.32         1,023.18         197.79         65.40         205.32           45         Nassau         4,801.80         5,278.06         3,543.40         145.54         336.88         52.96         468.34           46         Okaloosa         11,633.46         12,890.46         8,596.12         1,250.99         895.22         371.75         766.38           47         Okeechobee         2,061.85         2,345.00         1,656.34         458.83         18.31         11.87         220.34           48         Orange         63,339.78         77,728.61         56,311.67 </td <td>6,146.32</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>	6,146.32									
41         Manatee         16,713.91         19,671.03         14,102.08         4,193.44         792.94         511.40         1,233.65           42         Marion         15,924.12         17,486.71         12,328.69         2,138.35         2,376.81         472.82         1,585.25           43         Martin         5,367.56         7,222.74         5,146.62         1,503.11         152.46         977.04         557.68           44         Monroe         2,579.84         3,127.23         2,180.32         1,023.18         197.79         65.40         205.32           45         Nassau         4,801.80         5,278.06         3,543.40         145.54         336.88         52.96         468.34           46         Okaloosa         11,633.46         12,890.46         8,596.12         1,250.99         895.22         371.75         766.38           47         Okeechobee         2,061.85         2,345.00         1,656.34         458.83         18.31         11.87         220.34           48         Orange         63,339.78         77,728.61         56,311.67         24,283.93         14,416.71         2,854.07         5,141.07           49         Osceola         20,931.95         28,309.59	1,457.25									
42         Marion         15,924.12         17,486.71         12,328.69         2,138.35         2,376.81         472.82         1,585.25           43         Martin         5,367.56         7,222.74         5,146.62         1,503.11         152.46         977.04         557.68           44         Monroe         2,579.84         3,127.23         2,180.32         1,023.18         197.79         65.40         205.32           45         Nassau         4,801.80         5,278.06         3,543.40         145.54         336.88         52.96         468.34           46         Okaloosa         11,633.46         12,890.46         8,596.12         1,250.99         895.22         371.75         766.38           47         Okeechobee         2,061.85         2,345.00         1,656.34         458.83         18.31         11.87         220.34           48         Orange         63,339.78         77,728.61         56,311.67         24,283.93         14,416.71         2,854.07         5,141.07           49         Osceola         20,931.95         28,309.59         21,230.27         10,380.22         2013.03         567.16         1,904.63           50         Palm Beach         57,919.46         71,061.86<	2,515.75									
43         Martin         5,367.56         7,222.74         5,146.62         1,503.11         152.46         977.04         557.68           44         Monroe         2,579.84         3,127.23         2,180.32         1,023.18         197.79         65.40         205.32           45         Nassau         4,801.80         5,278.06         3,543.40         145.54         336.88         52.96         468.34           46         Okaloosa         11,633.46         12,890.46         8,596.12         1,250.99         895.22         371.75         766.38           47         Okeechobee         2,061.85         2,345.00         1,656.34         458.83         18.31         11.87         220.34           48         Orange         63,339.78         77,728.61         56,311.67         24,283.93         14,416.71         2,854.07         5,141.07           49         Osceola         20,931.95         28,309.59         21,230.27         10,380.22         2,013.03         567.16         1,904.63           50         Palm Beach         57,919.46         71,061.86         54,161.81         24,160.66         4,301.67         2,270.59         4,548.88           51         Pasco         28,341.80         33,689.	57,218.45 52,312.75									
44         Monroe         2,579.84         3,127.23         2,180.32         1,023.18         197.79         65.40         205.32           45         Nassau         4,801.80         5,278.06         3,543.40         145.54         336.88         52.96         468.34           46         Okaloosa         11,633.46         12,890.46         8,596.12         1,250.99         895.22         371.75         766.38           47         Okeechobee         2,061.85         2,345.00         1,656.34         458.83         18.31         11.87         220.34           48         Orange         63,339.78         77,728.61         56,311.67         24,283.93         14,416.71         2,854.07         5,141.07           49         Osceola         20,931.95         28,309.59         21,230.27         10,380.22         2,013.03         567.16         1,904.63           50         Palm Beach         57,919.46         71,061.86         54,161.81         24,160.66         4,301.67         2,270.59         4,548.88           51         Pasco         28,341.80         33,689.66         23,482.59         3,463.19         4,084.35         849.72         1,823.28           52         Pinellas         31,740.93 <t< td=""><td>20,927.21</td><td>, i</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></t<>	20,927.21	, i								
45         Nassau         4,801.80         5,278.06         3,543.40         145.54         336.88         52.96         468.34           46         Okaloosa         11,633.46         12,890.46         8,596.12         1,250.99         895.22         371.75         766.38           47         Okeechobee         2,061.85         2,345.00         1,656.34         458.83         18.31         11.87         220.34           48         Orange         63,339.78         77,728.61         56,311.67         24,283.93         14,416.71         2,854.07         5,141.07           49         Osceola         20,931.95         28,309.59         21,230.27         10,380.22         2,013.03         567.16         1,904.63           50         Palm Beach         57,919.46         71,061.86         54,161.81         24,160.66         4,301.67         2,270.59         4,548.88           51         Pasco         28,341.80         33,689.66         23,482.59         3,463.19         4,084.35         849.72         1,823.28           52         Pinellas         31,740.93         36,338.82         27,158.17         4,304.08         3,796.65         934.98         3,026.40           53         Polk         38,182.27	9,379.08				,			-,		
46 Okaloosa         11,633.46         12,890.46         8,596.12         1,250.99         895.22         371.75         766.38           47 Okeechobee         2,061.85         2,345.00         1,656.34         458.83         18.31         11.87         220.34           48 Orange         63,339.78         77,728.61         56,311.67         24,283.93         14,416.71         2,854.07         5,141.07           49 Osceola         20,931.95         28,309.59         21,230.27         10,380.22         2,013.03         567.16         1,904.63           50 Palm Beach         57,919.46         71,061.86         54,161.81         24,160.66         4,301.67         2,270.59         4,548.88           51 Pasco         28,341.80         33,689.66         23,482.59         3,463.19         4,084.35         849.72         1,823.28           52 Pinellas         31,740.93         36,338.82         27,158.17         4,304.08         3,796.65         934.98         3,026.40           53 Polk         38,182.27         45,017.30         32,433.95         9,189.61         1,803.12         2,820.97         3,299.26           54 Putnam         3,617.61         3,940.03         2,429.36         442.33         29.72         39.95         332.18	14,626.98									
47 Okeechobee         2,061.85         2,345.00         1,656.34         458.83         18.31         11.87         220.34           48 Orange         63,339.78         77,728.61         56,311.67         24,283.93         14,416.71         2,854.07         5,141.07           49 Osceola         20,931.95         28,309.59         21,230.27         10,380.22         20,13.03         567.16         1,904.63           50 Palm Beach         57,919.46         71,061.86         54,161.81         24,160.66         4,301.67         2,270.59         4,548.88           51 Pasco         28,341.80         33,689.66         23,482.59         3,463.19         4,084.35         849.72         1,823.28           52 Pinellas         31,740.93         36,338.82         27,158.17         4,304.08         3,796.65         934.98         3,026.40           53 Polk         38,182.27         45,017.30         32,433.95         9,189.61         1,803.12         2,820.97         3,299.26           54 Putnam         3,617.61         3,940.03         2,429.36         442.33         29.72         39.95         332.18           55 St. Johns         18,098.66         20,972.52         15,098.21         411.24         1,452.57         735.75         964.10 <td>36,404.38</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>	36,404.38									
49 Osceola         20,931.95         28,309.59         21,230.27         10,380.22         2,013.03         567.16         1,904.63           50 Palm Beach         57,919.46         71,061.86         54,161.81         24,160.66         4,301.67         2,270.59         4,548.88           51 Pasco         28,341.80         33,689.66         23,482.59         3,463.19         4,084.35         849.72         1,823.28           52 Pinellas         31,740.93         36,338.82         27,158.17         4,304.08         3,796.65         934.98         3,026.40           53 Polk         38,182.27         45,017.30         32,433.95         9,189.61         1,803.12         2,820.97         3,299.26           54 Putnam         3,617.61         3,940.03         2,429.36         442.33         29.72         39.95         332.18           55 St. Johns         18,098.66         20,972.52         15,098.21         411.24         1,452.57         735.75         964.10           56 St. Lucie         15,198.60         18,105.56         13,854.76         3,604.80         396.54         98.50         1,235.62           57 Santa Rosa         10,414.02         12,421.10         8,968.57         239.76         1,627.86         269.43         720.59 </td <td>6,772.54</td> <td></td> <td></td> <td>18.31</td> <td></td> <td></td> <td></td> <td></td> <td>Okeechobee</td> <td>47</td>	6,772.54			18.31					Okeechobee	47
50         Palm Beach         57,919.46         71,061.86         54,161.81         24,160.66         4,301.67         2,270.59         4,548.88           51         Pasco         28,341.80         33,689.66         23,482.59         3,463.19         4,084.35         849.72         1,823.28           52         Pinellas         31,740.93         36,338.82         27,158.17         4,304.08         3,796.65         934.98         3,026.40           53         Polk         38,182.27         45,017.30         32,439.95         9,189.61         1,803.12         2,820.97         3,299.26           54         Putnam         3,617.61         3,940.03         2,429.36         442.33         29.72         39.95         332.18           55         St. Johns         18,098.66         20,972.52         15,098.21         411.24         1,452.57         735.75         964.10           56         St. Lucie         15,198.60         18,105.56         13,854.76         3,604.80         396.54         98.50         1,235.62           57         Santa Rosa         10,414.02         12,421.10         8,968.57         239.76         1,627.86         269.43         720.59           58         Sarasota         14,698.22	244,075.84									
51         Pasco         28,341.80         33,689.66         23,482.59         3,463.19         4,084.35         849.72         1,823.28           52         Pinellas         31,740.93         36,338.82         27,158.17         4,304.08         3,796.65         934.98         3,026.40           53         Polk         38,182.27         45,017.30         32,433.95         9,189.61         1,803.12         2,820.97         3,299.26           54         Putnam         3,617.61         3,940.03         2,429.36         442.33         29.72         39.95         332.18           55         St. Johns         18,098.66         20,972.52         15,098.21         411.24         1,452.57         735.75         964.10           56         St. Lucie         15,198.60         18,105.56         13,854.76         3,604.80         396.54         98.50         1,235.62           57         Santa Rosa         10,414.02         12,421.10         8,968.57         239.76         1,627.86         269.43         720.59           58         Sarasota         14,698.22         18,547.85         13,290.86         2,637.44         2,352.24         548.16         1,026.57           59         Seminole         23,064.12	85,336.85									
52 Pinellas         31,740.93         36,338.82         27,158.17         4,304.08         3,796.65         934.98         3,026.40           53 Polk         38,182.27         45,017.30         32,433.95         9,189.61         1,803.12         2,820.97         3,299.26           54 Putnam         3,617.61         3,940.03         2,429.36         442.33         29.72         39.95         332.18           55 St. Johns         18,098.66         20,972.52         15,098.21         411.24         1,452.57         735.75         964.10           56 St. Lucie         15,198.60         18,105.56         13,854.76         3,604.80         396.54         98.50         1,235.62           57 Santa Rosa         10,414.02         12,421.10         8,968.57         239.76         1,627.86         269.43         720.59           58 Sarasota         14,698.22         18,547.85         13,290.86         2,637.44         2,352.24         548.16         1,026.57           59 Seminole         23,064.12         26,694.42         19,792.16         2,505.16         1,279.39         319.82         1,717.11           60 Sumter         3,554.17         3,814.19         2,446.56         260.23         254.01         14.44         346.70	218,424.93									
53         Polk         38,182.27         45,017.30         32,433.95         9,189.61         1,803.12         2,820.97         3,299.26           54         Putnam         3,617.61         3,940.03         2,429.36         442.33         29.72         39.95         332.18           55         St. Johns         18,098.66         20,972.52         15,098.21         411.24         1,452.57         735.75         964.10           56         St. Lucie         15,198.60         18,105.56         13,854.76         3,604.80         396.54         98.50         1,235.62           57         Santa Rosa         10,414.02         12,421.10         8,968.57         239.76         1,627.86         269.43         720.59           58         Sarasota         14,698.22         18,547.85         13,290.86         2,637.44         2,352.24         548.16         1,026.57           59         Seminole         23,064.12         26,694.42         19,792.16         2,505.16         1,279.39         319.82         1,717.11           60         Sumter         3,554.17         3,814.19         2,446.56         260.23         254.01         14.44         346.70	95,734.59									
54         Putnam         3,617.61         3,940.03         2,429.36         442.33         29.72         39.95         332.18           55         St. Johns         18,098.66         20,972.52         15,098.21         411.24         1,452.57         735.75         964.10           56         St. Lucie         15,198.60         18,105.56         13,854.76         3,604.80         396.54         98.50         1,235.62           57         Santa Rosa         10,414.02         12,421.10         8,968.57         239.76         1,627.86         269.43         720.59           58         Sarasota         14,698.22         18,547.85         13,290.86         2,637.44         2,352.24         548.16         1,026.57           59         Seminole         23,064.12         26,694.42         19,792.16         2,505.16         1,279.39         319.82         1,717.11           60         Sumter         3,554.17         3,814.19         2,446.56         260.23         254.01         14.44         346.70	107,300.03 132,746.48				,					
55         St. Johns         18,098.66         20,972.52         15,098.21         411.24         1,452.57         735.75         964.10           56         St. Lucie         15,198.60         18,105.56         13,854.76         3,604.80         396.54         98.50         1,235.62           57         Santa Rosa         10,414.02         12,421.10         8,968.57         239.76         1,627.86         269.43         720.59           58         Sarasota         14,698.22         18,547.85         13,290.86         2,637.44         2,352.24         548.16         1,026.57           59         Seminole         23,064.12         26,694.42         19,792.16         2,505.16         1,279.39         319.82         1,717.11           60         Sumter         3,554.17         3,814.19         2,446.56         260.23         254.01         14.44         346.70	10,831.18									
56         St. Lucie         15,198.60         18,105.56         13,854.76         3,604.80         396.54         98.50         1,235.62           57         Santa Rosa         10,414.02         12,421.10         8,968.57         239.76         1,627.86         269.43         720.59           58         Sarasota         14,698.22         18,547.85         13,290.86         2,637.44         2,352.24         548.16         1,026.57           59         Seminole         23,064.12         26,694.42         19,792.16         2,505.16         1,279.39         319.82         1,717.11           60         Sumter         3,554.17         3,814.19         2,446.56         260.23         254.01         14.44         346.70	57,733.05									
57         Santa Rosa         10,414.02         12,421.10         8,968.57         239.76         1,627.86         269.43         720.59           58         Sarasota         14,698.22         18,547.85         13,290.86         2,637.44         2,352.24         548.16         1,026.57           59         Seminole         23,064.12         26,694.42         19,792.16         2,505.16         1,279.39         319.82         1,717.11           60         Sumter         3,554.17         3,814.19         2,446.56         260.23         254.01         14.44         346.70	52,494.38									
58 Sarasota         14,698.22         18,547.85         13,290.86         2,637.44         2,352.24         548.16         1,026.57           59 Seminole         23,064.12         26,694.42         19,792.16         2,505.16         1,279.39         319.82         1,717.11           60 Sumter         3,554.17         3,814.19         2,446.56         260.23         254.01         14.44         346.70	34,661.33									
59 Seminole         23,064.12         26,694.42         19,792.16         2,505.16         1,279.39         319.82         1,717.11           60 Sumter         3,554.17         3,814.19         2,446.56         260.23         254.01         14.44         346.70	53,101.34									
	75,372.18	1,717.11	319.82	1,279.39	2,505.16	19,792.16		23,064.12	Seminole	
	10,690.30									
61 Suwannee 2,116.38 2,348.34 1,594.64 191.78 8.12 5.94 191.30	6,456.50									
62 Taylor 1,183.70 1,044.07 613.81 0.00 48.10 7.02 45.47	2,942.17									
63 Union 963.39 917.65 461.79 0.00 12.38 17.69 108.65	2,481.55	I								
64 Volusia         21,263.48         24,620.04         17,455.99         2,324.94         2,520.27         284.44         2,492.61           65 Wakulla         2,130.15         1,924.58         1,328.78         8.75         101.54         34.07         131.62	70,961.77 5,659.49									
66 Walton 4,176.35 4,632.81 3,051.39 622.00 39.28 19.23 242.68	12,783.74									
67 Washington 1,200.19 1,198.09 811.66 17.19 150.57 68.20 87.38	3,533.28									
69 FAMU Lab School 210.70 230.76 181.82 0.00 0.00 0.00 3.93	627.21									
70 FAU Lab - PB 269.76 381.17 684.73 3.72 0.00 0.00 0.00	1,339.38									
71 FAU Lab - St. Lucie 642.51 838.86 0.00 51.98 4.45 0.00 0.00	1,537.80									
72 FSU Lab - Broward 464.74 248.06 0.00 45.12 0.00 0.00 0.00	757.92	0.00	0.00	0.00	45.12	0.00	248.06	464.74	FSU Lab - Broward	
73 FSU Lab - Leon 501.07 754.83 606.21 12.61 0.00 0.00 71.64	1,946.36									
74 UF Lab School 243.62 526.04 480.74 0.00 0.00 0.00 27.01	1,277.41									
75 Virtual School 5,973.55 13,764.60 27,879.40 63.29 0.00 0.00 1,598.31	49,279.15									
76         FSU Lab - Bay         0.00         0.00         123.50         0.00         0.00         0.00         0.00	123.50	0.00	0.00	0.00	0.00	123.50	0.00	0.00	FSU Lab - Bay	/6

939,693.91 1,112,586.28 825,082.08 250,483.29 98,788.47 30,264.11 75,643.42 3,332,541.56

#### Add-On Weighted FTE

District	Advanced Placement FTE	IB FTE	AICE FTE	Dual Enrollment FTE	Isolated Schools FTE	ESE Supplement FTE	Early Graduation FTE	Industry Certified Bonus FTE	Total Add-On FTE
	-1-	-2-	-3-	-4-	-5-	-6-	-7-	-8-	-9-
1 Alachua	485.62	93.32	175.48	146.50	0.00	0.00	4.75	274.88	1,180.
2 Baker 3 Bay	1.60 217.58	0.00 22.64	0.00 156.36	23.76 52.64	0.00 0.00	2.22 0.00	0.00 3.25	82.90 145.95	110. 598.
3 Bay 4 Bradford	4.96	0.00	0.00	2.64	0.00	0.00	0.00	23.00	31.
5 Brevard	714.28	109.88	440.92	388.86	0.00	0.00	37.50	673.20	2,364
6 Broward	2,290.70	96.98	3,382.68	1,537.74	0.00	0.00	67.75	1,334.70	8,710.
7 Calhoun	0.00	0.00	0.00	5.52	0.00	7.32	0.00	42.73	55.
8 Charlotte	93.32	0.00	311.52	70.22	0.00	0.00	1.50	178.85	655
9 Citrus	109.86 349.86	72.52	0.00	21.76	0.00	0.00	3.25	91.73	299
0 Clay 1 Collier	470.88	47.24 0.00	251.60 448.08	34.74 134.00	0.00 62.82	0.00	7.50 20.25	195.75 349.93	886 1,485
2 Columbia	41.12	0.00	0.00	31.40	0.00	0.00	7.25	22.75	102
3 Dade	4,234.68	573.00	1,855.66	964.64	0.00	0.00	96.00	868.98	8,592
4 De Soto	6.08	0.00	0.00	27.34	0.00	4.98	1.75	36.10	76
5 Dixie	4.48	0.00	0.00	10.98	0.00	0.00	1.50	25.80	42
6 Duval 7 Escambia	1,051.02 191.52	368.94 89.64	322.30 0.00	259.92 61.52	0.00 0.00	0.00 0.00	82.75 6.00	257.99 633.95	2,342 982
8 Flagler	52.64	51.90	85.10	63.12	0.00	0.00	10.25	70.90	333
9 Franklin	0.00	0.00	0.00	1.44	0.00	0.00	0.00	9.23	10
0 Gadsden	0.48	0.00	0.00	19.84	0.00	0.00	3.00	52.60	75
1 Gilchrist	5.76	0.00	0.00	18.08	0.00	0.00	3.00	61.20	88
2 Glades	0.48	0.00	0.00	31.26	0.00	0.00	0.00	0.00	31
3 Gulf 4 Hamilton	0.00 1.12	0.00 0.00	0.00 0.00	6.80 11.14	0.00 0.00	0.00 7.32	0.00 2.50	4.00 6.70	10 28
5 Hardee	5.44	0.00	0.00	24.76	0.00	3.57	0.00	45.68	79
6 Hendry	21.72	0.00	0.00	45.02	0.00	0.00	8.00	169.88	244
7 Hernando	143.04	86.84	106.16	112.52	0.00	0.00	4.00	132.25	584
8 Highlands	49.24	30.78	0.00	47.96	0.00	0.00	3.00	62.00	192
9 Hillsborough	2,546.52	550.96	386.72	764.94	0.00	0.00	131.00	1,576.15	5,956
0 Holmes 1 Indian River	0.00 148.42	0.00 59.42	0.00	3.20 44.60	0.00	3.32 0.00	0.50 5.75	19.90 133.33	26 391
2 Jackson	6.40	0.00	0.00	20.72	0.00	2.22	1.50	84.40	115
3 Jefferson	0.00	0.00	0.00	0.30	0.00	0.00	0.50	1.80	2
4 Lafayette	0.00	0.00	0.00	12.40	0.00	7.75	0.50	52.50	73
5 Lake	308.42	0.00	117.06	155.34	0.00	0.00	11.50	443.86	1,036
6 Lee	352.62	301.78	1,425.06	154.20	0.00	0.00	20.50	377.95	2,632
7 Leon 8 Levy	478.56 12.64	57.96 0.00	0.00	45.68 25.68	0.00 105.23	0.00 0.00	5.25 5.25	280.08 78.65	867 227
9 Liberty	0.16	0.00	0.00	3.84	0.00	0.00	0.00	37.20	41
0 Madison	0.00	0.00	0.00	20.04	0.00	0.00	0.00	7.20	27
1 Manatee	355.04	47.26	274.64	90.34	0.00	0.00	9.50	266.65	1,043
2 Marion	218.24	111.72	457.92	155.18	0.00	0.00	5.25	224.82	1,173
3 Martin	196.10	72.12	214.22	90.90	0.00	0.00	7.00	178.65	758
4 Monroe 5 Nassau	109.76 98.56	0.00 0.00	0.00 0.00	9.36 29.92	0.00 0.00	0.00 0.00	1.50 13.25	78.80 156.61	199 298
6 Okaloosa	250.56	36.92	153.28	179.34	0.00	0.00	0.00	209.23	829
7 Okeechobee	19.52	0.00	0.00	28.24	0.00	0.00	2.50	68.90	119
8 Orange	2,800.68	348.08	544.20	981.22	0.00	0.00	64.25	912.78	5,651
9 Osceola	601.36	98.00	19.32	225.08	0.00	0.00	22.25	481.38	1,447
Description Palm Beach	2,257.92	437.14	4,823.90	187.44	0.00	0.00	59.50	1,349.53	9,115
1 Pasco 2 Pinellas	890.28 1,039.52	119.26 372.56	504.20 348.36	181.96 618.84	0.00 0.00	0.00 0.00	17.25 95.00	209.23 685.65	1,922 3,159
3 Polk	387.98	159.62	183.48	110.72	0.00	0.00	11.50	461.10	1,314
4 Putnam	15.52	0.00	110.84	16.74	0.00	0.00	6.50	42.30	191
5 St. Johns	1,083.74	165.24	210.88	113.96	0.00	0.00	7.50	675.93	2,257
6 St. Lucie	53.60	49.10	328.94	424.98	0.00	0.00	22.25	345.85	1,224
7 Santa Rosa 8 Sarasota	287.52	0.00	0.00	109.92	0.00	0.00	2.00	395.64	795
9 Seminole	547.02 1,289.32	251.60 147.86	700.98 0.00	48.62 173.24	0.00 0.00	0.00 0.00	15.75 16.50	362.50 744.45	1,926 2,37
0 Sumter	77.28	0.00	22.40	72.16	0.00	4.18	0.00	205.25	38
1 Suwannee	16.48	0.00	0.00	13.60	0.00	0.00	0.75	60.73	91
2 Taylor	2.24	0.00	0.00	0.00	169.47	0.00	0.00	8.93	180
3 Union	0.00	0.00	0.00	24.08	0.00	0.00	0.50	35.70	60
4 Volusia	261.76	252.42	382.98	142.48	0.00	0.00	39.25	464.63	1,543
5 Wakulla 6 Walton	19.20 137.28	0.00	0.00	1.80 50.92	0.00	0.00	3.00 4.75	68.40 115.31	92 308
7 Washington	0.80	0.00	0.00	12.88	0.00	0.00	0.00	76.68	90
9 FAMU Lab School	0.00	0.00	0.00	0.00	0.00	0.00	0.50	0.00	(
0 FAU Lab - PB	0.00	0.00	0.00	130.32	0.00	0.00	0.50	0.00	130
1 FAU Lab - St. Lucie	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(
2 FSU Lab - Broward	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(
3 FSU Lab - Leon 4 UF Lab School	25.60 1.28	0.00 0.00	0.00 0.00	18.88 17.76	0.00 0.00	0.00 0.00	2.75 0.75	1.40 0.00	48 19
5 Virtual School	452.64	0.00	35.20	7.68	0.00	0.00	49.25	14.65	559
6 FSU Lab - Bay	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(
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#### Funded Weighted FTE

					ESOL-						Total
		Basic Education	Basic Education	Basic Education	Intensive English	ESE Level	ESE Level	Career Education	Total Weighted	Add-On Weighted	Funded Weighted
	District	Grades K-3	Grades 4-8	Grades 9-12	Grades K-12	IV	V	Grades 9-12	Programs	FTE	FTE
		-1-	-2-	-3-	-4-	-5-	-6-	-7-	-8-	-9-	-10-
1	Alachua	11,114.68	12,297.42	8,237.78	771.28	184.04	73.91	590.16	33,269.27	1,180.55	34,449.82
2	Baker	1,811.51	1,856.83	1,084.49	10.52	63.59	13.75	343.98	5,184.67	110.48	5,295.15
3	Bay Bradford	9,139.25 1,221.05	10,147.26 1,245.71	7,013.34 753.75	1,383.58 0.00	2,447.26 47.40	610.19 2.40	611.15 108.00	31,352.03 3,378.31	598.42 31.07	31,950.45 3,409.38
	Brevard	27,297.34	29,892.84	21,549.20	2,050.93	2,913.32	604.14	1,314.95	85,622.72	2,364.64	87,987.36
6	Broward	79,731.53	97,144.44	73,562.78	25,998.17	7,075.53	3,289.69	6,363.49	293,165.63	8,710.55	301,876.18
8	Calhoun Charlotte	721.20 5,515.46	762.30 6,369.06	548.92 5,340.12	10.30 434.81	97.28 659.33	7.70 211.04	93.15 458.01	2,240.85 18,987.83	55.57 655.41	2,296.42 19,643.24
9	Citrus	5,798.29	6,307.46	4,181.06	129.78	404.58	30.82	543.28	17,395.27	299.12	17,694.39
10	Clay	13,263.92	15,042.04	11,179.55	842.31	1,155.64	200.77	1,164.05	42,848.28	886.69	43,734.97
11 12	Collier Columbia	13,759.11 4,014.56	17,958.55 3,859.97	13,743.77 2,221.43	5,943.08 85.94	2,356.65 248.15	432.36 26.42	1,101.45 482.44	55,294.97 10,938.91	1,485.96 102.52	56,780.93 11,041.43
13	Dade	97,535.24	122,063.52	92,612.73	63,923.49	14,634.55	3,677.48	8,255.39	402,702.40	8,592.96	411,295.36
14	De Soto	1,499.82	1,829.63	1,108.02	281.28	0.00	8.50	179.66	4,906.91	76.25	4,983.16
15 16	Dixie Duval	817.98	781.98	499.29	25.77	40.32	26.14	96.53	2,288.01	42.76	2,330.77
17	Escambia	50,555.60 14,410.12	51,942.40 14,859.69	35,696.20 10,147.51	7,256.14 678.00	3,882.81 653.85	1,265.53 502.22	1,660.21 1,336.90	152,258.89 42,588.29	2,342.92 982.63	154,601.81 43,570.92
18	Flagler	4,311.83	5,401.57	4,132.68	334.25	442.90	152.09	376.14	15,151.46	333.91	15,485.37
19	Franklin	412.09	456.98	270.59	23.47	33.28	0.00	25.33	1,221.74	10.67	1,232.41
20 21	Gadsden Gilchrist	1,709.71 1,114.27	1,711.98 1,131.29	1,191.40 626.23	84.74 63.17	134.90 206.31	38.47 47.77	92.75 101.93	4,963.95 3,290.97	75.92 88.04	5,039.87 3,379.01
22	Glades	719.17	827.91	307.11	59.60	20.72	23.63	15.89	1,974.03	31.74	2,005.77
23	Gulf	655.21	752.93	517.37	15.63	140.53	17.98	45.35	2,145.00	10.80	2,155.80
24 25	Hamilton Hardee	517.74 1,592.57	634.10 1,890.96	438.42 1,233.40	105.74 251.83	15.34 38.51	5.14 15.35	69.97 148.19	1,786.45 5,170.81	28.78 79.45	1,815.23 5,250.26
26	Hendry	3,681.66	4,913.39	4,047.84	902.74	108.29	82.81	771.94	14,508.67	244.62	14,753.29
27	Hernando	8,878.71	9,999.28	7,026.84	539.60	683.02	431.73	673.68	28,232.86	584.81	28,817.67
28 29	Highlands Hillsborough	4,255.43 71,834.41	4,688.61 85,669.49	3,300.55 59,461.89	411.20 20,287.93	132.19 7,995.81	50.68 1,994.65	435.35 6,229.93	13,274.01 253,474.11	192.98 5,956.29	13,466.99 259,430.40
30	Holmes	1,171.64	1,270.17	827.79	4.75	0.00	5.82	100.47	3,380.64	26.92	3,407.56
31	Indian River	5,751.87	6,605.33	4,852.10	725.31	536.55	128.86	463.95	19,063.97	391.52	19,455.49
32 33	Jackson	2,414.40 338.62	2,138.22 343.31	1,358.48 238.46	58.00 53.10	335.02	17.18	201.68	6,522.98	115.24	6,638.22 1,034.14
34	Jefferson Lafayette	387.18	431.29	291.69	53.10 32.01	19.16 3.71	0.00 5.71	38.89 68.05	1,031.54 1,219.64	2.60 73.15	1,292.79
35	Lake	17,350.13	19,283.16	13,241.01	1,853.58	1,298.32	153.75	1,576.79	54,756.74	1,036.18	55,792.92
36 37	Lee	28,801.13	35,734.78	27,655.63	14,141.67	3,509.17	678.39	2,359.40	112,880.17	2,632.11	115,512.28
38	Leon Levy	12,584.50 2,180.88	12,684.91 2,189.12	8,855.10 1,306.10	587.62 159.38	638.47 59.37	124.18 26.48	623.38 224.99	36,098.16 6,146.32	867.53 227.45	36,965.69 6,373.77
39	Liberty	450.66	485.15	313.21	10.93	69.60	57.01	70.69	1,457.25	41.20	1,498.45
40	Madison	849.72	888.61	621.28	14.19	40.02	0.00	101.93	2,515.75	27.24	2,542.99
41 42	Manatee Marion	16,713.91 15,924.12	19,671.03 17,486.71	14,102.08 12,328.69	4,193.44 2,138.35	792.94 2,376.81	511.40 472.82	1,233.65 1,585.25	57,218.45 52,312.75	1,043.43 1,173.13	58,261.88 53,485.88
43	Martin	5,367.56	7,222.74	5,146.62	1,503.11	152.46	977.04	557.68	20,927.21	758.99	21,686.20
44	Monroe	2,579.84	3,127.23	2,180.32	1,023.18	197.79	65.40	205.32	9,379.08	199.42	9,578.50
45 46	Nassau Okaloosa	4,801.80 11,633.46	5,278.06 12,890.46	3,543.40 8,596.12	145.54 1,250.99	336.88 895.22	52.96 371.75	468.34 766.38	14,626.98 36,404.38	298.34 829.33	14,925.32 37,233.71
47	Okeechobee	2,061.85	2,345.00	1,656.34	458.83	18.31	11.87	220.34	6,772.54	119.16	6,891.70
48	Orange	63,339.78	77,728.61	56,311.67	24,283.93	14,416.71	2,854.07	5,141.07	244,075.84	5,651.21	249,727.05
49 50	Osceola Palm Beach	20,931.95 57,919.46	28,309.59 71,061.86	21,230.27 54,161.81	10,380.22 24,160.66	2,013.03 4,301.67	567.16 2,270.59	1,904.63 4,548.88	85,336.85 218,424.93	1,447.39 9,115.43	86,784.24 227,540.36
51	Pasco	28,341.80	33,689.66	23,482.59	3,463.19	4,084.35	849.72	1,823.28	95,734.59	1,922.18	97,656.77
52	Pinellas	31,740.93	36,338.82	27,158.17	4,304.08	3,796.65	934.98	3,026.40	107,300.03	3,159.93	110,459.96
	Polk Putnam	38,182.27 3,617.61	45,017.30 3,940.03	32,433.95 2,429.36	9,189.61 442.33	1,803.12 29.72	2,820.97 39.95	3,299.26 332.18	132,746.48 10,831.18	1,314.40 191.90	134,060.88 11,023.08
	St. Johns	18,098.66	20,972.52	15,098.21	411.24	1,452.57	735.75	964.10	57,733.05	2,257.25	59,990.30
56	St. Lucie	15,198.60	18,105.56	13,854.76	3,604.80	396.54	98.50	1,235.62	52,494.38	1,224.72	53,719.10
	Santa Rosa	10,414.02	12,421.10 18 547 85	8,968.57	239.76 2,637.44	1,627.86 2,352.24	269.43 548.16	720.59 1,026.57	34,661.33 53,101.34	795.08 1,926.47	35,456.41 55,027,81
	Sarasota Seminole	14,698.22 23,064.12	18,547.85 26,694.42	13,290.86 19,792.16	2,537.44 2,505.16	1,279.39	548.16 319.82	1,026.57	75,372.18	1,926.47 2,371.37	55,027.81 77,743.55
60	Sumter	3,554.17	3,814.19	2,446.56	260.23	254.01	14.44	346.70	10,690.30	381.27	11,071.57
	Suwannee	2,116.38	2,348.34	1,594.64	191.78	8.12	5.94	191.30	6,456.50	91.56	6,548.06
	Taylor Union	1,183.70 963.39	1,044.07 917.65	613.81 461.79	0.00 0.00	48.10 12.38	7.02 17.69	45.47 108.65	2,942.17 2,481.55	180.64 60.28	3,122.81 2,541.83
64	Volusia	21,263.48	24,620.04	17,455.99	2,324.94	2,520.27	284.44	2,492.61	70,961.77	1,543.52	72,505.29
_	Wakulla	2,130.15	1,924.58	1,328.78	8.75	101.54	34.07	131.62	5,659.49	92.40	5,751.89
	Walton Washington	4,176.35 1,200.19	4,632.81 1,198.09	3,051.39 811.66	622.00 17.19	39.28 150.57	19.23 68.20	242.68 87.38	12,783.74 3,533.28	308.26 90.36	13,092.00 3,623.64
	FAMU Lab School	210.70	230.76	181.82	0.00	0.00	0.00	3.93	627.21	0.50	627.71
	FAU Lab - PB	269.76	381.17	684.73	3.72	0.00	0.00	0.00	1,339.38	130.82	1,470.20
	FAU Lab - St. Lucie FSU Lab - Broward	642.51 464.74	838.86 248.06	0.00 0.00	51.98 45.12	4.45 0.00	0.00 0.00	0.00 0.00	1,537.80 757.92	0.00 0.00	1,537.80 757.92
	FSU Lab - Leon	501.07	754.83	606.21	45.12 12.61	0.00	0.00	71.64	1,946.36	48.63	1,994.99
74	UF Lab School	243.62	526.04	480.74	0.00	0.00	0.00	27.01	1,277.41	19.79	1,297.20
	Virtual School FSU Lab - Bay	5,973.55 0.00	13,764.60 0.00	27,879.40 123.50	63.29 0.00	0.00 0.00	0.00 0.00	1,598.31 0.00	49,279.15 123.50	559.42 0.00	49,838.57 123.50
, 0	. CO Lab - Day	0.00	0.00	120.00	0.00	0.00	0.00	0.00	120.00	0.00	123.30
	Total	939.693.91	1.112.586.28	825.082.08	250.483.29	00 700 47	20 264 11	75 6/2 /2	3.332.541.56	90 004 22	3.413.445.79

Total 939,693.91 1,112,586.28 825,082.08 250,483.29 98,788.47 30,264.11 75,643.42 3,332,541.56 80,904.23 3,413,445.79



#### 2023-2024 FEFP - CONFERENCE REPORT, MAY 2, 2023 Comparable Wage Factor Calculation Based on the Florida Price Level Index (FPLI)

					Three-Year	80% Three-Year		Comparable
		2020	2021	2022	Average	Average	Add	Wage
	District	FPLI	FPLI	FPLI	FPLĬ	FPLĬ	20.00	Factor
		-1-	-2-	-3-	-4-	-5-	-6-	-7-
1	Alachua	97.12	97.77	97.79	97.56	78.05	98.05	0.9805
2	Baker	96.21	92.56	92.91	93.89	75.11	95.11	0.9511
3	Bay	95.94	96.49	97.13	96.52	77.22	97.22	0.9722
4	Bradford	95.58	90.31	91.84	92.58	74.06	94.06	0.9406
5	Brevard	98.64	99.41	99.90	99.32	79.45	99.45	0.9945
6	Broward	102.06	103.25	103.38	102.90	82.32	102.32	1.0232
7	Calhoun	91.54	87.86	88.58	89.33	71.46	91.46	0.9146
8	Charlotte	98.68	96.79	96.06	97.18	77.74	97.74	0.9774
9	Citrus	93.25	92.38	91.69	92.44	73.95	93.95	0.9395
10	Clay	98.13	95.90	96.27	96.77	77.41	97.41	0.9741
_								
11	Collier	106.45	106.70	105.81	106.32	85.06	105.06	1.0506
12	Columbia	92.78	91.89	92.64	92.44	73.95	93.95	0.9395
13	Dade	101.96	102.34	102.56	102.29	81.83	101.83	1.0183
14	De Soto	97.55	91.89	91.76	93.73	74.99	94.99	0.9499
15	Dixie	92.23	87.40	89.35	89.66	71.73	91.73	0.9173
16	Duval	100.43	101.05	101.23	100.90	80.72	100.72	1.0072
17	Escambia	96.79	96.94	97.64	97.12	77.70	97.70	0.9770
18	Flagler	94.80	94.11	93.32	94.08	75.26	95.26	0.9526
19		90.81	91.73	91.03	91.19	72.95	92.95	0.9295
20	Gadsden	93.62	91.30	91.25	92.06	73.65	93.65	0.9365
21	Gilchrist	94.03	90.02	91.22	91.76	73.41	93.41	0.9341
22	Glades	98.77	92.46	91.65	94.29	75.43	95.43	0.9543
23	Gulf	92.54	92.13	92.36	92.34	73.87	93.87	0.9387
24	Hamilton	89.99	88.58	90.37	89.65	71.72	91.72	0.9172
25	Hardee	96.31	91.45	90.37	93.01	71.72 74.41	94.41	0.9441
26	Hendry	100.25	92.83	93.25	95.44	76.35	96.35	0.9441
			92.63 92.46					
27	Hernando	96.07		93.99	94.17	75.34	95.34	0.9534
28	Highlands	94.65	91.52	89.81	91.99	73.59	93.59	0.9359
29	Hillsborough	100.73	101.33	101.60	101.22	80.98	100.98	1.0098
30	Holmes	92.12	87.69	87.87	89.23	71.38	91.38	0.9138
31	Indian River	99.93	99.75	99.73	99.80	79.84	99.84	0.9984
32	Jackson	90.08	90.35	91.11	90.51	72.41	92.41	0.9241
33	Jefferson	93.33	90.39	89.39	91.04	72.83	92.83	0.9283
34	Lafayette	90.45	88.32	88.83	89.20	71.36	91.36	0.9136
35	Lake	97.46	95.21	95.40	96.02	76.82	96.82	0.9682
36	Lee	102.75	100.96	100.82	101.51	81.21	101.21	1.0121
37	Leon	96.10	96.91	95.83	96.28	77.02	97.02	0.9702
38	Levy	93.97	90.41	90.57	91.65	73.32	93.32	0.9332
39	Liberty	91.52	88.37	90.85	90.25	72.20	92.20	0.9220
40	Madison	90.09	89.12	88.97	89.39	71.51	91.51	0.9151
41	Manatee	99.42	99.49	99.46	99.46	79.57	99.57	0.9957
42	Marion	93.51	93.31	92.96	93.26	74.61	94.61	0.9461
43	Martin	102.11	101.86	100.64	101.54	81.23	101.23	1.0123
44	Monroe		101.00	100.04	105.79	84.63	101.23	1.0463
1		106.51						
45	Nassau	98.69	97.82	98.11	98.21	78.57	98.57	0.9857
46	Okaloosa	98.59	98.78	99.75	99.04	79.23	99.23	0.9923
47	Okeechobee	97.44	91.51	92.30	93.75	75.00	95.00	0.9500
	Orange	100.78	101.50	101.25	101.18	80.94	100.94	1.0094
	Osceola	98.46	97.84	97.83	98.04	78.43	98.43	0.9843
50	Palm Beach	105.45	105.78	105.35	105.53	84.42	104.42	1.0442
51	Pasco	98.10	96.87	97.56	97.51	78.01	98.01	0.9801
52		100.03	100.52	100.59	100.38	80.30	100.30	1.0030
53	Polk	96.08	96.82	97.06	96.65	77.32	97.32	0.9732
54	Putnam	94.38	90.56	92.01	92.32	73.85	93.85	0.9385
55	St. Johns	100.26	99.66	99.25	99.72	79.78	99.78	0.9978
56	St. Lucie	100.20	97.09	97.09	98.13	78.50	98.50	0.9850
57		95.85	93.81	95.20	94.95	75.96	95.96	0.9596
58	Sarasota	101.94	102.55	101.68	102.06	81.65	101.65	1.0165
59	Seminole	99.24	99.36	99.02	99.21	79.37	99.37	0.9937
60	Sumter	96.20	97.11	96.96	96.76	77.41	97.41	0.9741
61	Suwannee	90.77	90.07	90.29	90.38	72.30	92.30	0.9230
62	Taylor	90.77	89.80	90.29	90.24	72.30 72.19	92.19	0.9219
63		90.24				72.19 72.91		
1	Union		89.08	89.95	91.13		92.91	0.9291
64	Volusia	95.67	94.81	94.26	94.91	75.93	95.93	0.9593
65	Wakulla	93.73	92.36	92.79	92.96	74.37	94.37	0.9437
66	Walton	98.03	98.74	98.08	98.28	78.63	98.63	0.9863
67		92.25	89.48	90.40	90.71	72.57	92.57	0.9257
69	FAMU Lab School	96.10	96.91	95.83	96.28	77.02	97.02	0.9702
70	FAU Lab - PB	105.45	105.78	105.35	105.53	84.42	104.42	1.0442
71	FAU Lab - St. Lucie	100.20	97.09	97.09	98.13	78.50	98.50	0.9850
72	FSU Lab - Broward	102.06	103.25	103.38	102.90	82.32	102.32	1.0232
73	FSU Lab - Leon	96.10	96.91	95.83	96.28	77.02	97.02	0.9702
74	UF Lab School	97.12	97.77	97.79	97.56	78.05	98.05	0.9805
75	Virtual School	100.00	100.00	100.00	100.00	80.00	100.00	1.0000
	FSU Lab - Bay	95.94	96.49	97.13	96.52	77.22	97.22	0.9722
<u> </u>					30.02			

#### Base FEFP Funding Calculation

	I		BSA		1.0277	
	Total	Total	\$5,139.73	Comparable	Small	Base
	Unweighted	Weighted	Χ	Wage	District	FEFP
District	FTE	FTE	WFTE	Factor	Factor	Funding
	-1-	-2-	-3-	-4-	-5-	-6-
4 Alexber	04 700 00	04.440.00	477 000 770			477.000.770
1 Alachua	31,792.99	34,449.82	177,062,773		1 0077	177,062,773
2 Baker 3 Bay	4,918.19 27,874.00	5,295.15 31,950.45	27,215,641 164,216,686		1.0277	27,969,514 164,216,686
4 Bradford	3,210.85	3,409.38	17,523,293		1.0277	18,008,688
5 Brevard	79,849.34	87,987.36	452,231,274		1.0277	452,231,274
6 Broward	272,606.05	301,876.18	1,551,562,059	1.0232		1,587,558,299
7 Calhoun	2,083.69	2,296.42	11,802,979		1.0277	12,129,922
8 Charlotte	17,691.86	19,643.24	100,960,950			100,960,950
9 Citrus	16,435.91	17,694.39	90,944,387			90,944,387
10 Clay	40,309.21	43,734.97	224,785,937			224,785,937
11 Collier	50,791.17	56,780.93	291,838,649	1.0506		306,605,685
12 Columbia	10,279.19	11,041.43	56,749,969	4.0400	1.0277	58,321,943
13 Dade 14 De Soto	367,941.88 4,689.78	411,295.36 4,983.16	2,113,947,101	1.0183	1.0277	2,152,632,333
15 Dixie	2,143.21	2,330.77	25,612,097 11,979,528		1.0277	26,321,552 12,311,361
16 Duval	141,955.53	154,601.81	794,611,561	1.0072	1.0211	800,332,764
17 Escambia	40,046.49	43,570.92	223,942,765	1.0072		223,942,765
18 Flagler	14,201.17	15,485.37	79,590,621			79,590,621
19 Franklin	1,150.18	1,232.41	6,334,255		1.0277	6,509,714
20 Gadsden	4,641.47	5,039.87	25,903,571		1.0277	26,621,100
21 Gilchrist	2,969.65	3,379.01	17,367,199		1.0277	17,848,270
22 Glades	1,853.61	2,005.77	10,309,116		1.0277	10,594,679
23 Gulf	1,956.86	2,155.80	11,080,230		1.0277	11,387,152
24 Hamilton	1,697.12	1,815.23	9,329,792		1.0277	9,588,227
25 Hardee	4,918.53	5,250.26	26,984,919		1.0277	27,732,401
26 Hendry 27 Hernando	13,802.85 26,359.83	14,753.29 28,817.67	75,827,927		1.0277	77,928,361 148,115,043
28 Highlands	12,613.03	13,466.99	148,115,043 69,216,693		1.0277	71,133,995
29 Hillsborough	234,990.31	259,430.40	1,333,402,210	1.0098	1.0277	1,346,469,552
30 Holmes	3,250.92	3,407.56	17,513,938	1.0000	1.0277	17,999,074
31 Indian River	17,843.37	19,455.49	99,995,966			99,995,966
32 Jackson	5,994.62	6,638.22	34,118,658		1.0277	35,063,745
33 Jefferson	971.88	1,034.14	5,315,200		1.0277	5,462,431
34 Lafayette	1,163.58	1,292.79	6,644,592		1.0277	6,828,647
35 Lake	51,531.14	55,792.92	286,760,545			286,760,545
36 Lee	104,369.14	115,512.28	593,701,931	1.0121		600,885,724
37 Leon	34,125.68	36,965.69	189,993,666		4 0077	189,993,666
38 Levy 39 Liberty	5,817.30	6,373.77	32,759,457		1.0277	33,666,894
40 Madison	1,307.58 2,392.40	1,498.45 2,542.99	7,701,628 13,070,282		1.0277 1.0277	7,914,963 13,432,329
41 Manatee	53,766.67	58,261.88	299,450,332		1.0211	299,450,332
42 Marion	48,130.89	53,485.88	274,902,982			274,902,982
43 Martin	19,192.65	21,686.20	111,461,213	1.0123		112,832,186
44 Monroe	8,736.71	9,578.50	49,230,904	1.0463		51,510,295
45 Nassau	13,801.72	14,925.32	76,712,115			76,712,115
46 Okaloosa	34,016.69	37,233.71	191,371,216			191,371,216
47 Okeechobee	6,451.51	6,891.70	35,421,477		1.0277	36,402,652
48 Orange	220,465.36	249,727.05	1,283,529,611	1.0094		1,295,594,789
49 Osceola 50 Palm Beach	79,465.82	86,784.24	446,047,562	1.0442		446,047,562
51 Pasco	203,305.63 88,536.21	227,540.36 97,656.77	1,169,496,015 501,929,430	1.0442		1,221,187,739 501,929,430
52 Pinellas	99,690.85	110,459.96	567,734,370	1.0030		569,437,573
53 Polk	123,541.52	134,060.88	689,036,727			689,036,727
54 Putnam	10,314.21	11,023.08	56,655,655		1.0277	58,225,017
55 St. Johns	54,145.47	59,990.30	308,333,945			308,333,945
56 St. Lucie	49,935.59	53,719.10	276,101,670			276,101,670
57 Santa Rosa	32,137.39	35,456.41	182,236,374			182,236,374
58 Sarasota	48,971.85	55,027.81	282,828,086	1.0165		287,494,749
59 Seminole	71,360.08	77,743.55	399,580,856			399,580,856
60 Sumter	10,068.08	11,071.57 6,548.06	56,904,880		1 0077	56,904,880
61 Suwannee 62 Taylor	6,189.05 2,776.96	6,548.06 3,122.81	33,655,260 16,050,400		1.0277 1.0277	34,587,511 16,494,996
63 Union	2,770.90	2,541.83	13,064,320		1.0277	13,426,202
64 Volusia	66,219.17	72,505.29	372,657,614		1.0211	372,657,614
65 Wakulla	5,331.42	5,751.89	29,563,162		1.0277	30,382,062
66 Walton	12,198.75	13,092.00	67,289,345			67,289,345
67 Washington	3,237.62	3,623.64	18,624,531		1.0277	19,140,431
69 FAMU Lab School	606.25	627.71	3,226,260			3,226,260
70 FAU Lab - PB	1,317.73	1,470.20	7,556,431	1.0442		7,890,425
71 FAU Lab - St. Lucie	1,455.74	1,537.80	7,903,877	4.0000		7,903,877
72 FSU Lab - Broward	699.62	757.92	3,895,504	1.0232		3,985,880
73 FSU Lab - Leon 74 UF Lab School	1,892.26 1,254.95	1,994.99 1,297.20	10,253,710 6,667,258			10,253,710 6,667,258
75 Virtual School	48,849.99	49,838.57	256,156,793			256,156,793
76 FSU Lab - Bay	125.00	123.50	634,757			634,757
TO LOS Day	120.00	120.00	557,757	<b>.</b>		557,757



#### Classroom Teacher and Other Instructional Personnel Salary Increase

		2023-2024	4.52% for Maintaining	1.41% for	Teacher and Other Instructional
		Base	2022-2023	2023-2024	Personnel
	District	Funding	Increases	Increases	Salary Increase
		-1-	-2-	-3-	-4-
1	Alachua	177,062,773	8,003,237	2,496,585	10,499,822
	Baker	27,969,514	1,264,222	394,370	1,658,592
	Bay	164,216,686	7,422,594	2,315,455	9,738,049
	Bradford	18,008,688	813,993	253,923	1,067,916
	Brevard Broward	452,231,274 1,587,558,299	20,440,854 71,757,635	6,376,461 22,384,572	26,817,315 94,142,207
	Calhoun	12,129,922	548,272	171,032	719,304
8	Charlotte	100,960,950	4,563,435	1,423,549	5,986,984
	Citrus	90,944,387	4,110,686	1,282,316	5,393,002
	Clay	224,785,937	10,160,324	3,169,482	13,329,806
11	Collier Columbia	306,605,685 58,321,943	13,858,577   2,636,152	4,323,140 822,339	18,181,717 3,458,491
	Dade	2,152,632,333	97,298,981	30,352,116	127,651,097
	De Soto	26,321,552	1,189,734	371,134	1,560,868
	Dixie	12,311,361	556,474	173,590	730,064
	Duval	800,332,764	36,175,041	11,284,692	47,459,733
	Escambia Flagler	223,942,765	10,122,213	3,157,593	13,279,806
	Franklin	79,590,621 6,509,714	3,597,496   294,239	1,122,228 91,787	4,719,724 386,026
	Gadsden	26,621,100	1,203,274	375,358	1,578,632
21	Gilchrist	17,848,270	806,742	251,661	1,058,403
	Glades	10,594,679	478,879	149,385	628,264
	Gulf Hamilton	11,387,152	514,699	160,559	675,258
	Hamilton Hardee	9,588,227 27,732,401	433,388   1,253,505	135,194 391,027	568,582 1,644,532
	Hendry	77,928,361	3,522,362	1,098,790	4,621,152
	Hernando	148,115,043	6,694,800	2,088,422	8,783,222
	Highlands	71,133,995	3,215,257	1,002,989	4,218,246
	Hillsborough	1,346,469,552	60,860,424	18,985,221	79,845,645
	Holmes Indian River	17,999,074 99,995,966	813,558   4,519,818	253,787 1,409,943	1,067,345 5,929,761
	Jackson	35,063,745	1,584,881	494,399	2,079,280
	Jefferson	5,462,431	246,902	77,020	323,922
34	Lafayette	6,828,647	308,655	96,284	404,939
	Lake	286,760,545	12,961,577	4,043,324	17,004,901
	Lee	600,885,724	27,160,035	8,472,489	35,632,524
	Leon Levy	189,993,666 33,666,894	8,587,714   1,521,744	2,678,911 474,703	11,266,625 1,996,447
	Liberty	7,914,963	357,756	111,601	469,357
	Madison	13,432,329	607,141	189,396	796,537
41	Manatee	299,450,332	13,535,155	4,222,250	17,757,405
	Marion	274,902,982	12,425,615	3,876,132	16,301,747
	Martin Monroe	112,832,186 51,510,295	5,100,015 2,328,265	1,590,934 726,295	6,690,949 3,054,560
	Nassau	76,712,115	3,467,388	1,081,641	4,549,029
46	Okaloosa	191,371,216	8,649,979	2,698,334	11,348,313
47	Okeechobee	36,402,652	1,645,400	513,277	2,158,677
	Orange	1,295,594,789	58,560,884	18,267,887	76,828,771
	Osceola Palm Beach	446,047,562 1,221,187,739	20,161,350   55,197,686	6,289,271 17,218,747	26,450,621 72,416,433
	Pasco	501,929,430	22,687,210	7,077,205	29,764,415
	Pinellas	569,437,573	25,738,578	8,029,070	33,767,648
	Polk	689,036,727	31,144,460	9,715,418	40,859,878
	Putnam	58,225,017	2,631,771	820,973	3,452,744
55 56	St. Johns St. Lucie	308,333,945 276,101,670	13,936,694 12,479,795	4,347,509 3,893,034	18,284,203 16,372,829
57	Santa Rosa	182,236,374	8,237,084	2,569,533	10,806,617
58		287,494,749	12,994,763	4,053,676	17,048,439
59	Seminole	399,580,856	18,061,055	5,634,090	23,695,145
	Sumter	56,904,880	2,572,101	802,359	3,374,460
61	Suwannee Taylor	34,587,511	1,563,355   745,574	487,684 232,570	2,051,039
	Union	16,494,996 13,426,202	606,864	232,579 189,309	978,153 796,173
64	Volusia	372,657,614	16,844,124	5,254,472	22,098,596
65	Wakulla	30,382,062	1,373,269	428,387	1,801,656
66	Walton	67,289,345	3,041,478	948,780	3,990,258
	Washington	19,140,431	865,147	269,880	1,135,027
	FAMU Lab School FAU Lab - PB	3,226,260 7,890,425	145,827   356,647	45,490 111,255	191,317 467,902
	FAU Lab - St. Lucie	7,903,877	357,255	111,445	468,700
	FSU Lab - Broward	3,985,880	180,162	56,201	236,363
	FSU Lab - Leon	10,253,710	463,468	144,577	608,045
	UF Lab School	6,667,258	301,360	94,008	395,368
	Virtual School FSU Lab - Bay	256,156,793 634,757	11,578,287	3,611,811 8,950	15,190,098 37,641
70	1 OU Lab - Day	034,737	28,691	0,900	37,641



#### DJJ Supplemental Allocation

		2002 2004	2022 2024	<b>#000 00</b>	C	DII
		2023-2024 Unweighted	2023-2024 Weighted	\$906.30 X	Comparable Wage	DJJ Supplemental
	District	FTE	FTE	WFTE	Factor	Allocation
		-1-	-2-	-3-	-4-	-5-
1	Alachua	138.36	137.21	124,353		124,353
2	Baker	0.00	0.00	0		0
3 4	Bay Bradford	27.96 0.00	27.73 0.00	25,132 0		25,132 0
5	Brevard	45.01	44.60	40,421		40,421
6	Broward	228.08	237.63	215,364	1.0232	220,360
7	Calhoun	0.00	0.00	0		0
8	Charlotte	0.00	0.00	0		0
9	Citrus	116.42	116.16	105,276		105,276
10	Clay	103.15	102.43	92,832		92,832
11	Collier	84.54	83.92	76,057	1.0506	79,905
12	Columbia Dade	0.00 187.21	0.00 189.50	171 744	1.0183	174 007
14		0.00	0.00	171,744 0	1.0103	174,887
15	Dixie	0.00	0.00	0		
16	Duval	211.98	211.85	192,000	1.0072	193,382
17	Escambia	128.26	131.95	119,586		119,586
18	Flagler	0.00	0.00	0		0
19	Franklin	0.00	0.00	0		0
20	Gadsden	0.00	0.00	0		0
21	Gilchrist	0.00	0.00	0		0
22	Glades Gulf	0.00	0.00 0.00	0		0
23	Guit Hamilton	0.00 37.01	0.00 36.87	0 33,415		0 33,415
25	Hardee	0.00	0.00	33,415		33,415
26	Hendry	0.00	0.00	0		0
27	Hernando	25.00	24.93	22,594		22,594
28	Highlands	0.00	0.00	0		0
29	Hillsborough	380.00	392.09	355,351	1.0098	358,833
30	Holmes	0.00	0.00	0		0
31	Indian River	0.00	0.00	0		0
32	Jackson	27.68	27.67	25,077		25,077
33	Jefferson	0.00	0.00	0		0
34	Lafayette Lake	0.00 21.43	0.00 25.82	23,401		0 23,401
36	Lee	93.77	95.15	86,234	1.0121	87,277
	Leon	95.31	94.74	85,863	1.0121	85,863
	Levy	0.00	0.00	0		0
39	Liberty	73.58	89.61	81,214		81,214
40	Madison	9.86	9.96	9,027		9,027
41	Manatee	170.41	169.61	153,718		153,718
42		158.58	157.52	142,760	4 0 4 0 0	142,760
43	Martin	0.00	0.00	0	1.0123	0
44 45	Monroe Nassau	0.58 0.00	0.57 0.00	517 0	1.0463	541 0
46	Okaloosa	120.11	120.59	109,291		109.291
47	Okeechobee	79.67	79.78	72,305		72,305
48	Orange	194.77	193.76	175,605	1.0094	177,256
49	Osceola	84.57	84.49	76,573		76,573
	Palm Beach	151.05	154.25	139,797	1.0442	145,976
51		75.40	75.22	68,172		68,172
	Pinellas	118.82	118.18	107,107	1.0030	107,428
	Polk	154.09	153.24 0.00	138,881		138,881
55	Putnam St. Johns	0.00 58.11	57.65	0 52,248		0 52,248
	St. Lucie	89.60	89.00	80,661		80,661
57	Santa Rosa	0.00	0.00	00,001		00,001
	Sarasota	0.00	0.00	ő	1.0165	ŏ
l .	Seminole	0.00	0.00	0		0
60		0.00	0.00	0		0
61	Suwannee	0.00	0.00	0		0
	Taylor	0.00	0.00	0		0
	Union Volusia	0.00	0.00	110 151		0 118,154
65		130.85 0.00	130.37 0.00	118,154 0		118,154
66	Walton	29.26	29.21	26,473		26,473
67		0.00	0.00	20,473		20,473
69	FAMU Lab School	0.00	0.00	0		0
	FAU Lab - PB	0.00	0.00	0	1.0442	Ö
	FAU Lab - St. Lucie		0.00	0		0
	FSU Lab - Broward	0.00	0.00	0	1.0232	0
	FSU Lab - Leon	0.00	0.00	0		0
74	-	0.00	0.00	0		0
	Virtual School	0.00	0.00	0		0
76	FSU Lab - Bay	0.00	0.00	0		0



3,650.48 3,693.26 3,347,203

		2022-2023 Supplemental	2022-2023	2022-2023	2023-2024	2023-2024 Educational		2023-2024		Turnaround	Educational
		Academic Instruction	Non-Virtual Unweighted	Supplemental Funds	Non-Virtual Unweighted	Enrichment Prior to	2023-2024 Rebase	Educational Enrichment	FTE for Eligible	Supplement \$500	Educational Enrichment
	District	Allocation	FTE	Per FTE	FTE	Supplements	Adjustment	Base	Schools	per FTE	Allocation
		-1-	-2-	-3-	-4-	-5-	-6-	-7-	-8-	-9-	-10-
1	Alachua	8,198,723	29,624.05	276.76	31,501.57	8,718,375	0	8,718,375	842.08	421,040	9,139,415
2	Baker	1,743,520	4,893.34	356.30	4,915.38	1,751,350	142,573	1,893,923	0	0	1,893,923
	Bay	7,430,937 899,534	26,929.69 2,981.01	275.94	27,738.48 3,187.66	7,654,156 961,876	0 785,507	7,654,156 1,747,383	1,021 0	510,725 0	8,164,881 1,747,383
	Bradford Brevard	20,336,833	76,042.69	301.75 267.44	79,248.45	21,194,205	765,507	21,194,205	0	0	21,194,205
6	Broward	57,213,756	263,458.82	217.16	272,121.20	59,093,840	0	59,093,840	1,468	733,760	59,827,600
	Calhoun	445,431	2,009.02	221.72	2,029.83	450,054	1,154,117	1,604,171	0	0	1,604,171
	Charlotte Citrus	3,701,403 3,432,463	16,732.97 15,877.93	221.20 216.18	17,562.36 16,287.58	3,884,794 3,521,049	0	3,884,794 3,521,049	0	0	3,884,794 3,521,049
	Clay	9,825,902	38,432.13	255.67	39,867.70	10,192,975	Ő	10,192,975	606	303,165	10,496,140
	Collier	10,859,783	48,135.03	225.61	50,692.46	11,436,726	0	11,436,726	0	0	11,436,726
	Columbia Dade	3,762,875 113,718,768	10,191.29 349,622.69	369.22 325.26	10,245.41 366,935.95	3,782,810 119,349,587	0	3,782,810 119,349,587	0	0	3,782,810 119,349,587
	De Soto	1,764,637	4,614.91	382.38	4,661.37	1,782,415	645,765	2,428,180	ő	ő	2,428,180
	Dixie	445,720	2,047.47	217.69	2,135.85	464,953	433,233	898,186	0	0	898,186
	Duval Escambia	32,942,003 10,140,553	133,735.29 38,746.59	246.32 261.71	140,188.35 39,826.15	34,531,194 10,422,902	2,198,586 0	36,729,780 10,422,902	1,716 2,018	857,865 1,008,870	37,587,645 11,431,772
	Flagler	2,922,181	13,635.77	214.30	14,020.73	3,004,642	0	3,004,642	2,018	1,008,870	3,004,642
19	Franklin	241,839	1,117.48	216.41	1,127.73	244,052	0	244,052	0	0	244,052
	Gadsden	1,320,788	4,684.03	281.98	4,621.82	1,303,261	0	1,303,261	733	366,415	1,669,676
	Gilchrist Glades	614,349 434,486	2,797.34 1,796.83	219.62 241.81	2,934.06 1,847.41	644,378 446,722	1,478,197 1.159.948	2,122,575 1,606,670	0	0	2,122,575 1,606,670
	Gulf	379,082	1,893.25	200.23	1,948.72	390,192	0	390,192	ő	ő	390,192
	Hamilton	358,275	1,671.70	214.32	1,683.32	360,769	535,383	896,152	0	0	896,152
	Hardee	1,049,974 1,853,036	4,860.15 7,376.84	216.04 251.20	4,886.05	1,055,582 1,962,889	178,109 1.986,323	1,233,691 3,949,212	0	0	1,233,691 3,949,212
	Hendry Hernando	5,846,125	24,860.96	235.15	7,814.05 26,057.61	6,127,447	1,960,323	6,127,447	0	0	6,127,447
	Highlands	2,464,263	12,370.81	199.20	12,492.51	2,488,508	288,698	2,777,206	0	0	2,777,206
	Hillsborough	50,918,144	221,769.29	229.60	230,907.98	53,016,472	7,604,740	60,621,212	8,872	4,436,240	65,057,452
	Holmes Indian River	651,910 3,748,823	3,023.13 17,298.20	215.64 216.72	3,177.16 17,803.00	685,123 3,858,266	2,034,123 0	2,719,246 3,858,266	0	0	2,719,246 3,858,266
	Jackson	1,146,387	5,821.19	196.93	5,942.55	1,170,266	1,376,456	2,546,722	0	0	2,546,722
	Jefferson	312,741	805.03	388.48	965.91	375,237	845,514	1,220,751	698	349,155	1,569,906
	Lafayette	196,285	1,145.65	171.33	1,163.05	199,265	556,580	755,845	0	0	755,845
	Lake Lee	11,075,218 23,361,610	48,237.01 99,422.43	229.60 234.97	51,204.09 103,939.19	11,756,459 24,422,591	13,731,004	11,756,459 38,153,595	586 0	292,805 0	12,049,264 38,153,595
	Leon	9,358,560	33,176.97	282.08	34,041.98	9,602,562	0	9,602,562	1,072	536,225	10,138,787
	Levy	1,301,116	5,709.90	227.87	5,784.67	1,318,153	1,926,673	3,244,826	0	0	3,244,826
	Liberty Madison	269,864 628,648	1,304.63 2,374.14	206.85 264.79	1,303.07 2,379.09	269,540 629,959	572,387 381,744	841,927 1,011,703	0 111	0 55,485	841,927 1,067,188
	Manatee	12,862,456	52,103.34	246.86	53,739.51	13,266,135	0	13,266,135	0	00,400	13,266,135
	Marion	13,379,315	45,644.07	293.12	47,523.44	13,930,071	0	13,930,071	449	224,270	14,154,341
	Martin Monroe	4,021,406 1,879,270	18,656.51 8,668.39	215.55 216.80	19,177.27 8,721.29	4,133,661 1,890,776	292,034 0	4,425,695 1,890,776	0	0	4,425,695 1,890,776
	Nassau	2,862,082	13,064.83	219.07	13,734.82	3,008,887	2,257,641	5,266,528	0	0	5,266,528
46	Okaloosa	8,825,597	32,487.36	271.66	33,523.75	9,107,062	0	9,107,062	0	0	9,107,062
	Okeechobee	1,966,613	6,353.65	309.52 231.28	6,410.89	1,984,299	0	1,984,299	0	0	1,984,299
	Orange Osceola	48,805,118 16,225,194	211,018.81 74,618.75	217.44	218,595.88 78.220.60	50,556,855 17,008,287	1,628,615 2,190,586	52,185,470 19,198,873	2,040 0	1,019,955 0	53,205,425 19,198,873
50	Palm Beach	42,539,472	193,412.67	219.94	203,080.55	44,665,536	0	44,665,536	0	0	44,665,536
	Pasco	21,844,176	83,204.13	262.54	87,128.47	22,874,709	0	22,874,709	2,823	1,411,535	24,286,244
	Pinellas Polk	22,293,909 29,487,777	94,838.21 117,258.58	235.07 251.48	99,131.40 123,150.82	23,302,818 30,969,968	0	23,302,818 30,969,968	1,909 4,703	954,725 2,351,725	24,257,543 33,321,693
	Putnam	2,943,473	10,224.52	287.88	10,241.14	2,948,219	0	2,948,219	4,703	2,331,723	2,948,219
55	St. Johns	10,048,027	49,877.51	201.45	53,365.47	10,750,474	1,351,337	12,101,811	0	0	12,101,811
	St. Lucie Santa Rosa	11,427,580 8,221,392	46,804.44 29,611.71	244.16 277.64	49,742.25 31,265.67	12,145,068 8,680,601	2,821,425 0	14,966,493 8,680,601	379 0	189,665 0	15,156,158 8,680,601
	Janta NUSA		∠5,011./ l			9,919,605	0	9,919,605	0	0	9,919,605
58		9,321,340	45,911.75	203.03 I	48,857.83						
59	Sarasota Seminole	9,321,340 15,880,021	45,911.75 67,413.09	203.03 235.56	48,857.83 70,775.75	16,671,936	0	16,671,936	0	0	16,671,936
59 60	Sarasota Seminole Sumter	9,321,340 15,880,021 1,869,318	67,413.09 9,208.03	235.56 203.01	70,775.75 10,022.41	16,671,936 2,034,649	0 0	16,671,936 2,034,649	0	0	16,671,936 2,034,649
59 60 61	Sarasota Seminole Sumter Suwannee	9,321,340 15,880,021 1,869,318 1,248,261	67,413.09 9,208.03 6,010.07	235.56 203.01 207.69	70,775.75 10,022.41 6,092.16	16,671,936 2,034,649 1,265,281	0 0 0	16,671,936 2,034,649 1,265,281		0	16,671,936 2,034,649 1,265,287
59 60 61 62 63	Sarasota Seminole Sumter Suwannee Taylor Union	9,321,340 15,880,021 1,869,318 1,248,261 572,960 497,568	67,413.09 9,208.03 6,010.07 2,657.27 2,273.28	235.56 203.01	70,775.75 10,022.41 6,092.16 2,771.33 2,351.48	16,671,936 2,034,649	0 0	16,671,936 2,034,649 1,265,281 839,822 1,052,203	0	0	16,671,936 2,034,649 1,265,287 839,822 1,052,203
59 60 61 62 63 64	Sarasota Seminole Sumter Suwannee Taylor Union Volusia	9,321,340 15,880,021 1,869,318 1,248,261 572,960 497,568 16,933,949	67,413.09 9,208.03 6,010.07 2,657.27 2,273.28 64,166.45	235.56 203.01 207.69 215.62 218.88 263.91	70,775.75 10,022.41 6,092.16 2,771.33 2,351.48 65,590.71	16,671,936 2,034,649 1,265,281 597,554 514,692 17,310,044	0 0 0 242,268 537,511 0	16,671,936 2,034,649 1,265,281 839,822 1,052,203 17,310,044	0 0 0 0 1,780	0 0 0 0 0 889,855	16,671,936 2,034,649 1,265,28 839,822 1,052,203 18,199,899
59 60 61 62 63 64 65	Sarasota Seminole Sumter Suwannee Taylor Union Volusia Wakulla	9,321,340 15,880,021 1,869,318 1,248,261 572,960 497,568 16,933,949 957,609	67,413.09 9,208.03 6,010.07 2,657.27 2,273.28 64,166.45 5,165.74	235.56 203.01 207.69 215.62 218.88 263.91 185.38	70,775.75 10,022.41 6,092.16 2,771.33 2,351.48 65,590.71 5,329.57	16,671,936 2,034,649 1,265,281 597,554 514,692 17,310,044 987,996	0 0 0 242,268 537,511 0 0	16,671,936 2,034,649 1,265,281 839,822 1,052,203 17,310,044 987,996	0 0 0 0 1,780	0 0 0 0 889,855 0	16,671,930 2,034,649 1,265,28 839,823 1,052,203 18,199,899 987,990
59 60 61 62 63 64 65 66	Sarasota Seminole Sumter Suwannee Taylor Union Volusia	9,321,340 15,880,021 1,869,318 1,248,261 572,960 497,568 16,933,949 957,609 2,336,505	67,413.09 9,208.03 6,010.07 2,657.27 2,273.28 64,166.45	235.56 203.01 207.69 215.62 218.88 263.91	70,775.75 10,022.41 6,092.16 2,771.33 2,351.48 65,590.71	16,671,936 2,034,649 1,265,281 597,554 514,692 17,310,044 987,996 2,482,049	0 0 0 242,268 537,511 0	16,671,936 2,034,649 1,265,281 839,822 1,052,203 17,310,044	0 0 0 0 1,780	0 0 0 0 0 889,855	16,671,936 2,034,649 1,265,28 839,822 1,052,203 18,199,899 987,996 2,482,049
59 60 61 62 63 64 65 66 67	Sarasota Seminole Sumter Suwannee Taylor Union Volusia Wakulla Watton Washington FAMU Lab School	9,321,340 15,880,021 1,869,318 1,248,261 572,960 497,568 16,933,949 957,609 2,336,505 897,235 318,059	67,413.09 9,208.03 6,010.07 2,657.27 2,273.28 64,166.45 5,165.74 11,436.73 3,189.16	235.56 203.01 207.69 215.62 218.88 263.91 185.38 204.30 281.34 524.18	70,775.75 10,022.41 6,092.16 2,771.33 2,351.48 65,590.71 5,329.57 12,149.04 3,206.81 606.25	16,671,936 2,034,649 1,265,281 597,554 514,692 17,310,044 987,996 2,482,049 902,204 317,784	0 0 0 242,268 537,511 0 0 0 822,072 617,786	16,671,936 2,034,649 1,265,281 839,822 1,052,203 17,310,044 987,996 2,482,049 1,724,276 935,570	0 0 0 0 1,780 0 0 0	0 0 0 0 889,855 0 0 0	16,671,936 2,034,649 1,265,281 839,822 1,052,203 18,199,899 987,996 2,482,049 1,724,276
59 60 61 62 63 64 65 66 67 69 70	Sarasota Seminole Sumter Suwannee Taylor Union Volusia Wakulla Walton Washington FAMU Lab School FAU Lab - PB	9,321,340 15,880,021 1,869,318 1,248,261 572,960 497,568 16,933,949 957,609 2,336,505 897,235 318,059 333,974	67,413.09 9,208.03 6,010.07 2,657.27 2,273.28 64,166.45 5,165.74 11,436.73 3,189.16 606.78 1,313.74	235.56 203.01 207.69 215.62 218.88 263.91 185.38 204.30 281.34 524.18	70,775.75 10,022.41 6,092.16 2,771.33 2,351.48 65,590.71 5,329.57 12,149.04 3,206.81 606.25 1,317.73	16,671,936 2,034,649 1,265,281 597,554 514,692 17,310,044 987,996 2,482,049 902,204 317,784 334,993	0 0 242,268 537,511 0 0 0 822,072 617,786 1,108,802	16,671,936 2,034,649 1,265,281 839,822 1,052,203 17,310,044 987,996 2,482,049 1,724,276 935,570 1,443,795	0 0 0 0 1,780 0 0 0	0 0 0 889,855 0 0 0	16,671,936 2,034,648 1,265,28 839,822 1,052,203 18,199,899 987,990 2,482,048 1,724,276 935,576 1,443,798
59 60 61 62 63 64 65 66 67 69 70 71	Sarasota Seminole Sumter Suwannee Taylor Union Volusia Wakulla Watton Washington FAMU Lab School FAU Lab - PB FAU Lab - St. Lucie	9,321,340 15,880,021 1,869,318 1,248,261 572,960 497,568 16,933,949 957,609 2,336,505 897,235 318,059 333,974 422,095	67,413.09 9,208.03 6,010.07 2,657.27 2,273.28 64,166.45 5,165.74 11,436.73 3,189.16 606.78 1,313.74	235.56 203.01 207.69 215.62 218.88 263.91 185.38 204.30 281.34 524.18 254.22 289.39	70,775.75 10,022.41 6,092.16 2,771.33 2,351.48 65,590.71 5,329.57 12,149.04 3,206.81 606.25 1,317.73 1,455.74	16,671,936 2,034,649 1,265,281 597,554 514,692 17,310,044 987,996 2,482,049 902,204 317,784 334,993 421,277	0 0 0 242,268 537,511 0 0 0 822,072 617,786 1,108,802 140,152	16,671,936 2,034,649 1,265,281 839,822 1,052,203 17,310,044 987,996 2,482,049 1,724,276 935,570 1,443,795 561,429	0 0 0 0 1,780 0 0 0	0 0 0 889,855 0 0 0 0	16,671,93( 2,034,64( 1,265,28) 839,82: 1,052,20: 18,199,899 987,99( 2,482,04( 1,724,27( 935,57( 1,443,79( 561,42)
59 60 61 62 63 64 65 66 67 69 70 71 72	Sarasota Seminole Sumter Suwannee Taylor Union Volusia Wakulla Walton Washington FAMU Lab School FAU Lab - PB	9,321,340 15,880,021 1,869,318 1,248,261 572,960 497,568 16,933,949 957,609 2,336,505 897,235 318,059 333,974	67,413.09 9,208.03 6,010.07 2,657.27 2,273.28 64,166.45 5,165.74 11,436.73 3,189.16 606.78 1,313.74	235.56 203.01 207.69 215.62 218.88 263.91 185.38 204.30 281.34 524.18	70,775.75 10,022.41 6,092.16 2,771.33 2,351.48 65,590.71 5,329.57 12,149.04 3,206.81 606.25 1,317.73 1,455.74 699.62 1,891.66	16,671,936 2,034,649 1,265,281 597,554 514,692 17,310,044 987,996 2,482,049 902,204 317,784 334,993	0 0 0 242,268 537,511 0 0 822,072 617,786 1,108,802 140,152 54,160 1,206,875	16,671,936 2,034,649 1,265,281 839,822 1,052,203 17,310,044 987,996 2,482,049 1,724,276 935,570 1,443,795 561,429 196,994 1,529,762	0 0 0 1,780 0 0 0 0	0 0 0 889,855 0 0 0	16,671,93(2,034,644) 1,265,28* 839,82: 1,052,20: 18,199,89; 2,482,04; 1,724,27; 935,57; 1,443,79; 561,42: 196,99*
59 60 61 62 63 64 65 66 67 70 71 72 73 74	Sarasota Seminole Sumter Suwannee Taylor Union Volusia Wakulla Walton Washington FAMU Lab School FAU Lab - PB FAU Lab - Broward FSU Lab - Leon UF Lab School	9,321,340 15,880,021 1,869,318 1,248,261 572,960 497,568 16,933,949 957,609 2,336,505 897,235 318,059 333,974 422,095 142,659 314,956 319,026	67,413.09 9,208.03 6,010.07 2,657.27 2,273.28 64,166.45 5,165.74 11,436.73 3,189.16 606.78 1,313.74 1,458.57 698.77 1,845.06 1,254.28	235.56 203.01 207.69 215.62 218.88 263.91 185.38 204.30 281.34 524.18 254.22 289.39 204.16 170.69 254.35	70,775.75 10,022.41 6,092.16 2,771.33 2,351.48 65,590.71 5,329.57 12,149.04 3,206.81 606.25 1,317.73 1,455.74 699.62 1,891.66 1,251.95	16,671,936 2,034,649 1,265,281 597,554 514,692 17,310,044 987,996 2,482,049 902,204 317,784 334,993 421,277 142,834 322,887 318,433	0 0 242,268 537,511 0 0 822,072 617,786 1,108,802 140,152 54,160 1,206,875 1,067,109	16,671,936 2,034,649 1,265,281 839,822 1,052,203 17,310,044 987,996 2,482,049 1,724,276 935,570 1,443,795 561,429 196,994 1,529,762 1,385,542	0 0 0 1,780 0 0 0 0 0 0 0	0 0 0 889,855 0 0 0 0 0 0	16,671,936 2,034,644 1,265,281 839,822 1,052,200 18,199,896 2,482,046 1,724,276 935,570 1,443,799 561,429 196,999 1,529,766 1,385,544
59 60 61 62 63 64 65 66 67 70 71 72 73 74 75	Sarasota Seminole Sumter Suwannee Taylor Union Volusia Wakulla Watton Washington FAMU Lab School FAU Lab - PB FAU Lab - St. Lucie FSU Lab - Broward FSU Lab - Leon	9,321,340 15,880,021 1,869,318 1,248,261 572,960 497,568 16,933,949 957,609 2,336,505 897,235 318,059 333,974 422,095 142,659 314,926	67,413.09 9,208.03 6,010.07 2,657.27 2,273.28 64,166.45 5,165.74 11,436.73 3,189.16 606.78 1,313.74 1,458.57 698.77 1,845.06	235.56 203.01 207.69 215.62 218.88 263.91 185.38 204.30 281.34 524.18 254.22 289.39 204.16 170.69	70,775.75 10,022.41 6,092.16 2,771.33 2,351.48 65,590.71 5,329.57 12,149.04 3,206.81 606.25 1,317.73 1,455.74 699.62 1,891.66	16,671,936 2,034,649 1,265,281 597,554 514,692 17,310,044 987,996 2,482,049 902,204 317,784 334,993 421,277 142,834 322,887	0 0 0 242,268 537,511 0 0 822,072 617,786 1,108,802 140,152 54,160 1,206,875	16,671,936 2,034,649 1,265,281 839,822 1,052,203 17,310,044 987,996 2,482,049 1,724,276 935,570 1,443,795 561,429 196,994 1,529,762	0 0 0 1,780 0 0 0 0 0 0	0 0 0 0 889,855 0 0 0 0 0	16,671,93 2,034,64 1,265,28 839,82 1,052,20 18,199,89 987,99 2,482,04 1,724,27 935,57 1,443,79 561,42 196,99 1,529,76

719,314,907 2,893,683.90 248.58 3,018,439.76 750,327,733 57,825,312 808,153,045 33,827 16,913,480 825,066,525



Total

		2022 2022				Maximarina	
		2022-2023 ESE		2022-2023		Maximum 1,951.26	ESE
		Guaranteed	2022-2023	ESE G \$	2023-2024	or Prior Year	Guaranteed
	District	Allocation	ESE FTE	per FTE	ESE FTE	Funds per FTE	Allocation
		-1-	-2-	-3-	-4-	-5-	-6-
1	Alachua	11,430,678	6,984.16	1,636.66	7,438.94	1,951.26	14,515,306
2	Baker	1,402,456	773.12	1,814.02	783.29	1,951.26	1,528,402
3	Bay	9,418,501	5,037.26	1,869.77	5,380.13	1,951.26	10,498,032
4	Bradford	1,347,700	797.03	1,690.90	851.96	1,951.26	1,662,395
	Brevard	29,569,694	17,359.90	1,703.33	18,633.82	1,951.26	36,359,428
6	Broward Calhoun	101,688,971	47,624.86 460.21	2,135.21 1,696.04	49,441.44 451.96	2,135.21	105,567,857
	Charlotte	780,534 6,458,771	3,685.10	1,752.67	3,849.17	1,951.26 1,951.26	881,891 7,510,731
	Citrus	7,705,062	2,876.81	2,678.34	2,950.85	2,678.34	7,903,380
10	Clay	13,611,858	9,669.82	1,407.66	10,698.83	1,951.26	20,876,199
11	Collier	24,025,053	8,868.90	2,708.91	9,452.15	2,708.91	25,605,024
	Columbia	4,150,306	1,846.42	2,247.76	1,868.21	2,247.76	4,199,288
	Dade De Soto	134,474,562 2,015,572	71,474.53 759.30	1,881.43 2,654.51	78,148.32 765.32	1,951.26 2,654.51	152,487,691 2,031,550
	Dixie	706,828	477.42	1,480.52	527.54	1,951.26	1,029,368
16	Duval	51,048,265	27,643.39	1,846.67	28,840.60	1,951.26	56,275,509
	Escambia	13,818,841	7,652.04	1,805.90	7,767.95	1,951.26	15,157,290
	Flagler	6,824,420	2,463.27	2,770.47	2,602.93	2,770.47	7,211,339
	Franklin	489,519	270.99	1,806.41	263.83	1,951.26	514,801
20	Gadsden Gilchrist	1,674,702 1,073,482	814.33 607.03	2,056.54 1,768.42	808.43 636.42	2,056.54 1,951.26	1,662,569 1,241,821
	Glades	558,556	358.70	1,557.17	374.44	1,951.26	730,630
	Gulf	430,972	406.72	1,059.63	413.89	1,951.26	807,607
24	Hamilton	553,740	216.29	2,560.17	210.60	2,560.17	539,172
	Hardee	1,743,856	721.37	2,417.42	738.11	2,417.42	1,784,322
	Hendry	3,310,362	1,609.96	2,056.18	1,818.50	2,056.18	3,739,163
	Hernando Highlands	11,476,760 4,658,142	4,626.51 2,380.95	2,480.65 1,956.42	4,903.62 2,476.77	2,480.65 1,956.42	12,164,165 4,845,602
	Hillsborough	83,874,715	42,385.10	1,978.87	44,152.25	1,978.87	87,371,563
	Holmes	1,068,258	487.24	2,192.47	516.38	2,192.47	1,132,148
31	Indian River	6,188,386	3,180.77	1,945.56	3,294.64	1,951.26	6,428,699
	Jackson	2,318,180	1,074.54	2,157.37	1,092.53	2,157.37	2,356,991
33	Jefferson	390,489	150.54	2,593.92	180.66	2,593.92	468,618
	Lafayette Lake	379,424 18,710,038	273.88 9,117.12	1,385.37 2,052.19	278.50 9,905.06	1,951.26 2,052.19	543,426 20,327,065
	Lee	34,798,279	13,439.89	2,589.18	14,144.41	2,589.18	36,622,423
	Leon	17,398,083	6,760.75	2,573.40	7,021.89	2,573.40	18,070,132
	Levy	2,003,607	1,223.75	1,637.27	1,248.69	1,951.26	2,436,519
	Liberty	511,509	276.00	1,853.29	271.14	1,951.26	529,065
40	Madison Manatee	1,047,010 20,709,989	452.97 9,994.39	2,311.43	447.73 10,435.38	2,311.43	1,034,897
	Marion	16,480,109	8,305.20	2,072.16 1,984.31	8,696.53	2,072.16 1,984.31	21,623,777 17,256,611
	Martin	7,118,549	3,474.12	2,049.02	3,596.37	2,049.02	7,369,034
44	Monroe	3,457,246	1,897.35	1,822.14	1,935.84	1,951.26	3,777,327
_	Nassau	3,809,204	2,229.05	1,708.89	2,385.54	1,951.26	4,654,809
46	Okaloosa	14,054,969	6,209.26	2,263.55	6,277.36	2,263.55	14,209,118
	Okeechobee Orange	2,816,720 59,004,870	1,657.82 30,401.79	1,699.05 1,940.84	1,658.42 32,090.05	1,951.26 1,951.26	3,236,009 62,616,031
49	Osceola	23,089,781	11,293.54	2,044.51	11,940.85	2,044.51	24,413,187
50	Palm Beach	69,603,294	39,807.21	1,748.51	41,796.85	1,951.26	81,556,522
51	Pasco	33,279,596	15,536.88	2,141.97	16,343.98	2,141.97	35,008,315
	Pinellas	42,359,270	21,012.97	2,015.86	21,758.91	2,015.86	43,862,916
53	Polk Putnam	45,931,620	21,983.05	2,089.41	23,368.25	2,089.41	48,825,855
55	St. Johns	3,356,811 16,518,388	2,491.03 10,873.22	1,347.56 1,519.18	2,513.95 12,174.71	1,951.26 1,951.26	4,905,370 23,756,025
56	St. Lucie	20,291,502	7,388.64	2,746.31	8,049.20	2,746.31	22,105,598
57	Santa Rosa	11,183,692	5,150.41	2,171.42	5,432.35	2,171.42	11,795,913
58	Sarasota	23,518,653	10,189.42	2,308.14	10,639.04	2,308.14	24,556,394
59	Seminole	20,455,768	14,782.88	1,383.75	15,546.99	1,951.26	30,336,220
60	Sumter Suwannee	3,985,588	1,851.06	2,153.14	2,059.89 1,133.85	2,153.14 1,951.26	4,435,232
	Taylor	1,581,180 1,106,692	1,119.69 584.73	1,412.16 1,892.65	612.69	1,951.26 1,951.26	2,212,436 1,195,517
	Union	677,419	502.61	1,347.80	531.33	1,951.26	1,036,763
	Volusia	24,833,089	14,176.39	1,751.72	14,199.03	1,951.26	27,705,999
	Wakulla	1,917,552	1,109.70	1,727.99	1,146.56	1,951.26	2,237,237
66	Washington	4,598,336	2,068.50	2,223.03	2,212.50	2,223.03	4,918,454
67	Washington FAMU Lab School	709,582 49,465	663.76 29.49	1,069.03 1,677.35	677.67 28.53	1,951.26 1,951.26	1,322,310 55,669
	FAU Lab - PB	119,303	63.50	1,878.79	58.20	1,951.26	113,563
71	FAU Lab - St. Lucie	220,282	151.62	1,452.86	153.30	1,951.26	299,128
	FSU Lab - Broward	148,932	141.87	1,049.78	138.36	1,951.26	269,976
73	FSU Lab - Leon	350,638	177.05	1,980.45	178.75	1,980.45	354,005
74	UF Lab School	354,232	148.71	2,382.03	158.43	2,382.03	377,385
75 76	Virtual School FSU Lab - Bay	2,022,738	1,104.18 0.00	1,831.89 1,869.77	1,138.01 13.00	1,951.26 1,951.26	2,220,553 25,366
10	. Jo Lab - Day	ı	0.00	1,008.11	13.00	1,501.20	23,300

1,094,851,200 555,860 1,961.26 586,732.57 2,113.65 1,211,296,702

#### Mental Health Assistance Allocation

District	Minimum Mental Health	2023-2024 Unweighted	Mental Health FTE	Total Mental Health Assistance
District	Allocation -1-	Public FTE -2-	Allocation -3-	Allocation -4-
1 Alachua	100,000	28,167.65	1,498,008	1,598,00
2 Baker	100,000	4,797.85	255,159	355,15
3 Bay	100,000	27,155.46	1,444,178	1,544,17
4 Bradford	100,000	2,847.00	151,409	251,40
5 Brevard	100,000	73,524.86	3,910,188	4,010,18
6 Broward	100,000	248,071.28	13,192,890	13,292,89
7 Calhoun 8 Charlotte	100,000	2,061.23	109,620	209,62 991,29
9 Citrus	100,000 100,000	16,759.35 15,530.51	891,293 825.941	991,29
10 Clay	100,000	38,667.07	2,056,386	2,156,38
11 Collier	100,000	47,991.86	2,552,296	2,652,29
12 Columbia	100,000	9,459.08	503,051	603,05
13 Dade	100,000	331,503.80	17,629,985	17,729,98
14 De Soto	100,000	4,487.12	238,633	338,63
15 Dixie	100,000	2,004.42	106,599	206,59
16 Duval	100,000	127,445.43	6,777,784	6,877,78
17 Escambia	100,000	37,030.20	1,969,335	2,069,33
18 Flagler 19 Franklin	100,000 100,000	13,362.55 1,114.90	710,645 59,292	810,64 150 20
20 Gadsden	100,000	4,149.78	220,693	159,29 320,69
21 Gilchrist	100,000	2,711.20	144,187	244,18
22 Glades	100,000	1,801.60	95,812	195,81
23 Gulf	100,000	1,859.10	98,870	198,87
24 Hamilton	100,000	1,564.97	83,228	183,22
25 Hardee	100,000	4,841.58	257,484	357,48
26 Hendry	100,000	13,366.89	710,876	810,87
27 Hernando	100,000	24,425.54	1,298,995	1,398,99
28 Highlands	100,000	11,746.90	624,722	724,72
<ul><li>29 Hillsborough</li><li>30 Holmes</li></ul>	100,000	219,796.25	11,689,171	11,789,17
31 Indian River	100,000	3,166.21 16,724.51	168,385 889,440	268,38 989,44
32 Jackson	100,000	5,802.82	308,605	408,60
33 Jefferson	100,000	710.69	37,796	137,79
34 Lafayette	100,000	1,128.32	60,006	160,00
35 Lake	100,000	47,739.62	2,538,881	2,638,88
36 Lee	100,000	99,807.14	5,307,928	5,407,92
37 Leon	100,000	31,824.43	1,692,482	1,792,48
38 Levy	100,000	5,461.76	290,467	390,46
39 Liberty 40 Madison	100,000	1,283.52	68,260	168,26
40 Madison 41 Manatee	100,000	2,309.54 50,491.90	122,826 2,685,253	222,82 2,785,25
42 Marion	100,000	44,573.20	2,370,485	2,470,48
43 Martin	100,000	18,134.71	964,437	1,064,43
44 Monroe	100,000	8,376.92	445,500	545,50
45 Nassau	100,000	12,962.74	689,382	789,38
46 Okaloosa	100,000	32,094.28	1,706,833	1,806,83
47 Okeechobee	100,000	6,154.62	327,314	427,31
48 Orange	100,000	205,482.92	10,927,962	11,027,96
49 Osceola 50 Palm Beach	100,000	73,688.95	3,918,915	4,018,91
50 Palm Beach 51 Pasco	100,000	186,907.73 84,265.86	9,940,099 4,481,414	10,040,09 4,581,41
52 Pinellas	100,000	88,021.52	4,681,147	4,781,14
53 Polk	100,000	115,623.54	6,149,074	6,249,07
54 Putnam	100,000	9,873.89	525,112	625,11
55 St. Johns	100,000	51,526.78	2,740,289	2,840,28
56 St. Lucie	100,000	46,502.16	2,473,071	2,573,07
57 Santa Rosa	100,000	30,535.62	1,623,941	1,723,94
58 Sarasota	100,000	45,600.03	2,425,094	2,525,09
<ul><li>59 Seminole</li><li>60 Sumter</li></ul>	100,000 100,000	64,600.91 9,768.94	3,435,596 519,530	3,535,59 619,53
61 Suwannee	100,000	5,765.03	306,595	406,59
62 Taylor	100,000	2,569.27	136,639	236,63
63 Union	100,000	2,270.63	120,756	220,75
64 Volusia	100,000	61,544.34	3,273,042	3,373,04
65 Wakulla	100,000	5,145.32	273,638	373,63
66 Walton	100,000	11,543.45	613,902	713,90
67 Washington	100,000	3,088.88	164,272	264,27
69 FAMU Lab School	100,000	606.25	32,241	132,24
70 FAU Lab - PB 71 FAU Lab - St. Lucie	100,000	1,317.73	70,079 77,410	170,07
71 FAU Lab - St. Lucie 72 FSU Lab - Broward	100,000 100,000	1,455.74 699.62	77,419 37,207	177,41 137,20
73 FSU Lab - Broward	100,000	1,892.26	100,634	200,63
74 UF Lab School	100,000	1,254.95	66,741	166,74
75 Virtual School	100,000	48,849.99	2,597,933	2,697,93
76 FSU Lab - Bay	100,000	125.00	6,648	106,64



#### Safe Schools Allocation

		N 41: 1:		A II 45	0000 0004	A II 4!	
		Minimum Safe	2020	Allocation Based on	2023-2024 Non-Virtual	Allocation Based on	Safe
		School	Crime	Crime	Unweighted	Unweighted	Schools
	District	Allocation	Index	Index (1/3)	Public FTE	FTE (2/3)	Allocation
	2.04.104	-1-	-2-	-3-	-4-	-5-	-6-
1	Alachua	250,000	8,714	1,432,227	27,876.23	1,549,241	3,231,468
2	Baker	250,000	406	66,730	4,795.04	266,488	583,218
3 4	Bay Bradford	250,000 250,000	5,446 371	895,100 60,977	27,019.94 2,823.81	1,501,653 156,935	2,646,753 467,912
5	Brevard	250,000	12,950	2,128,452	72,923.97	4,052,802	6,431,254
6	Broward	250,000	47,045	7,732,281	247,586.43	13,759,794	21,742,075
7	Calhoun	250,000	159	26,133	2,007.37	111,561	387,694
8	Charlotte	250,000	1,943	319,350	16,629.85	924,216	1,493,566
9	Citrus	250,000	2,333	383,450	15,382.18	854,876	1,488,326
10	Clay	250,000	3,322	546,001	38,225.56	2,124,413	2,920,414
11	Collier Columbia	250,000 250,000	4,682 1,849	769,530 303,900	47,893.15 9,425.30	2,661,696 523,818	3,681,226 1,077,718
13	Dade	250,000	79,764	13,109,951	330,497.87	18,367,657	31,727,608
14	De Soto	250,000	736	120,968	4,458.71	247,796	618,764
15	Dixie	250,000	262	43,062	1,997.06	110,988	404,050
16	Duval	250,000	34,452	5,662,505	125,678.25	6,984,659	12,897,164
17	Escambia	250,000	10,298	1,692,572	36,809.86	2,045,734	3,988,306
18	Flagler	250,000	1,139	187,205	13,182.11	732,605	1,169,810
20	Franklin Gadsden	250,000 250,000	243 498	39,939 81,851	1,092.45 4,130.13	60,714 229,535	350,653 561,386
21	Gilchrist	250,000	121	19,887	2,675.61	148,699	418,586
22	Glades	250,000	128	21,038	1,795.40	99,781	370,819
23	Gulf	250,000	248	40,761	1,850.96	102,868	393,629
	Hamilton	250,000	324	53,252	1,551.17	86,207	389,459
25	Hardee	250,000	574	94,342	4,809.10	267,269	611,611
26	Hendry	250,000	868	142,664 457.741	7,378.09	410,043	802,707
28	Hernando Highlands	250,000 250,000	2,785 2,185	359,125	24,123.32 11,626.38	1,340,671 646,144	2,048,412 1,255,269
29	Hillsborough	250,000	20,705	3,403,058	215,713.92	11,988,457	15,641,515
30	Holmes	250,000	248	40,761	3,092.45	171,865	462,626
31	Indian River	250,000	2,099	344,990	16,684.14	927,233	1,522,223
32	Jackson	250,000	374	61,470	5,750.75	319,602	631,072
33	Jefferson	250,000	346	56,868	704.72	39,165	346,033
34	Lafayette Lake	250,000 250,000	47 6,341	7,725 1,042,202	1,127.79 47,412.57	62,678 2,634,988	320,403 3,927,190
36	Lee	250,000	10,218	1,679,423	99,377.19	5,522,959	7,452,382
	Leon	250,000	9,163	1,506,024	31,740.73	1,764,014	3,520,038
38	Levy	250,000	1,095	179,973	5,429.13	301,728	731,701
	Liberty	250,000	60	9,862	1,279.01	71,082	330,944
40	Madison	250,000	294	48,322	2,296.23	127,615	425,937
41	Manatee Marion	250,000	8,064 7,569	1,325,393 1,244,035	50,464.74 43,965.75	2,804,614 2,443,428	4,380,007
43	Martin	250,000 250,000	2,132	350,414	18,119.33	1,006,995	3,937,463 1,607,409
_	Monroe	250,000	1,277	209,887	8,361.50	464,696	924,583
45	Nassau	250,000	1,192	195,916	12,895.84	716,696	1,162,612
46	Okaloosa	250,000	3,723	611,909	31,601.34	1,756,267	2,618,176
47	Okeechobee	250,000	1,245	204,627	6,114.00	339,790	794,417
48	Orange	250,000	39,690	6,523,419	203,613.44	11,315,964	18,089,383
49 50	Osceola Palm Beach	250,000 250,000	7,433 33,719	1,221,682 5,542,029	72,443.73 186,682.65	4,026,112 10,375,023	5,497,794 16,167,052
51	Pasco	250,000	8,620	1,416,777	82,858.12	4,604,900	6,271,677
52		250,000	22,163	3,642,694	87,462.07	4,860,768	8,753,462
53		250,000	12,117	1,991,541	115,232.84	6,404,148	8,645,689
54	Putnam	250,000	1,498	246,210	9,800.82	544,688	1,040,898
55	St. Johns	250,000	2,566	421,746	50,746.78	2,820,289	3,492,035
56	St. Lucie Santa Rosa	250,000 250,000	4,497 1,731	739,124 284,506	46,308.82 29,663.90	2,573,646 1,648,593	3,562,770 2,183,099
58	Sarasota	250,000	7,621	1,252,582	45,486.01	2,527,918	4,030,500
59	Seminole	250,000	7,397	1,215,765	64,016.58	3,557,768	5,023,533
60	Sumter	250,000	1,246	204,792	9,723.27	540,378	995,170
61	Suwannee	250,000	913	150,060	5,668.14	315,011	715,071
62	Taylor	250,000	689 134	113,244	2,563.64	142,476	505,720
63	Union Volusia	250,000 250,000	134 10,956	22,024 1,800,720	2,270.63 60,915.88	126,192 3,385,444	398,216 5,436,164
65	Wakulla	250,000	503	82,673	5,143.47	285,852	618,525
66	Walton	250,000	984	161,730	11,493.74	638,773	1,050,503
67	Washington	250,000	291	47,829	3,058.07	169,954	467,783
69	FAMU Lab School	250,000	0	0	606.25	33,693	283,693
	FAU Lab - PB	250,000	0	0	1,317.73	73,234	323,234
71 72	FAU Lab - St. Lucie FSU Lab - Broward	250,000 250,000	0	0	1,455.74 699.62	80,904 38,882	330,904 288,882
73	FSU Lab - Leon	250,000	0	0	1,891.66	105,130	355,130
74	UF Lab School	250,000	0	0	1,251.95	69,578	319,578
75	Virtual School	0	Ö	Ö	0.00	0	0
	FSU Lab - Bay	250,000	0	0	125.00	6,947	256,947



18,500,000 464,805 76,395,000 2,790,877 155,105,000 250,000,000

#### 2023-2024 FEFP - CONFERENCE REPORT, MAY 2, 2023 Student Transportation Allocation

			ESE				FES	
		Adjusted	Transportation	Adjusted	_		\$750	
		ESE Allocation	Allocation \$1.044	Base Allocation	Base Transportation	FES Transportation	per FTE	Total Transportation
	District	Factor	X Col. 1	Factor	Allocation	FTE	Allocation	Allocation
	4	-1-	-2-	-3-	-4-	-5-	-6-	-7-
	1 Alachua 2 Baker	470.29 147.57	490,983 154,063	7,244.45 2,787.32	4,368,054 1,680,620	1 0	750 0	4,859,787 1,834,683
	3 Bay	676.83	706,611	6,136.75	3,700,164	9	6,750	4,413,525
	4 Bradford	81.67	85,263	1,226.59	739,575	0	0	824,838
	5 Brevard 6 Broward	1,242.85 2,698.43	1,297,535 2,817,161	19,987.48 53,160.74	12,051,487 32,053,364	22 114	16,500 85,500	13,365,522 34,956,025
	7 Calhoun	55.32	57,754	750.99	452,811	0	03,300	510,565
	8 Charlotte	825.43	861,749	5,157.07	3,109,465	8	6,000	3,977,214
	9 Citrus 10 Clay	214.19 1,567.19	223,614 1,636,146	7,772.85 11,890.53	4,686,654 7,169,417	1 11	750 8,250	4,911,018 8,813,813
	11 Collier	1,040.08	1,085,844	14,132.42	8,521,168	5	3,750	9,610,762
	12 Columbia	325.44	339,759	3,621.36	2,183,506	1	750	2,524,015
	13 Dade 14 De Soto	6,614.58 193.80	6,905,622 202,327	30,796.18 1,146.99	18,568,612 691,580	86 5	64,500 3,750	25,538,734 897,657
	15 Dixie	22.52	23,511	902.13	543,941	0	3,730	567,452
	16 Duval	4,198.15	4,382,869	27,356.08	16,494,398	91	68,250	20,945,517
	17 Escambia	1,155.84	1,206,697	14,550.83	8,773,449	20	15,000	9,995,146
	18 Flagler 19 Franklin	371.53 0.97	387,877 1,013	5,135.77 581.48	3,096,622 350,604	6 0	4,500 0	3,488,999 351,617
	20 Gadsden	221.46	231,204	2,249.19	1,356,153	3	2,250	1,589,607
	21 Gilchrist	19.98	20,859	976.93 505.11	589,042	0	0	609,901
	22 Glades 23 Gulf	5.04 28.84	5,262 30,109	595.11 614.29	358,823 370,387	0	0	364,085 400,496
	24 Hamilton	27.18	28,376	1,006.66	606,967	0	0	635,343
	25 Hardee	104.77	109,380	2,221.28	1,339,325	0	0	1,448,705
	26 Hendry 27 Hernando	149.07 171.71	155,629 179,265	2,955.48 9,264.08	1,782,012 5,585,794	0 4	0 3,000	1,937,641 5,768,059
	28 Highlands	460.91	481,190	4,364.71	2,631,710	3	2,250	3,115,150
	29 Hillsborough	4,972.90	5,191,708	59,830.91	36,075,155	27	20,250	41,287,113
	30 Holmes 31 Indian River	11.80 439.91	12,319 459,266	1,395.14 4,342.45	841,202 2,618,288	<u> </u>	3,750	853,521 3,081,304
	32 Jackson	293.96	306,894	2,549.92	1,537,479	0	0,750	1,844,373
	33 Jefferson	17.16	17,915	510.79	307,982	2	1,500	327,397
	34 Lafayette 35 Lake	0.00 1,565.22	0 1,634,090	352.56 15,011.68	212,577 9,051,320	0 9	0 6,750	212,577 10,692,160
	36 Lee	2,753.88	2,875,051	45,551.38	27,465,287	3	2,250	30,342,588
	37 Leon	695.76	726,373	7,333.94	4,422,012	11	8,250	5,156,635
	38 Levy 39 Liberty	184.72 49.08	192,848 51,240	2,414.74 449.98	1,455,972 271,316	0	0	1,648,820 322,556
	40 Madison	56.08	58,548	1,072.25	646,515	0	0	705,063
	41 Manatee	882.84	921,685	12,941.45	7,803,071	7	5,250	8,730,006
	42 Marion 43 Martin	2,145.04 216.07	2,239,422 225,577	17,952.35 6,425.72	10,824,402 3,874,399	7 0	5,250 0	13,069,074 4,099,976
	44 Monroe	153.33	160,077	1,683.93	1,015,329	2	1,500	1,176,906
	45 Nassau	352.03	367,519	5,866.79	3,537,392	0	0	3,904,911
	46 Okaloosa 47 Okeechobee	1,305.90 156.63	1,363,360	11,231.77 2,965.44	6,772,216	2	1,500 0	8,137,076 1,951,539
	48 Orange	2,570.87	163,522 2,683,988	53,466.58	1,788,017 32,237,771	52	39,000	34,960,759
	49 Osceola	2,202.28	2,299,180	27,715.48	16,711,099	29	21,750	19,032,029
	50 Palm Beach 51 Pasco	3,291.67	3,436,503	45,486.22	27,425,998	30 21	22,500 15,750	30,885,001
	51 Pasco 52 Pinellas	2,350.29 2,237.33	2,453,703 2,335,773	29,006.97 18,984.45	17,489,805 11,446,708	23	15,750 17,250	19,959,258 13,799,731
	53 Polk	3,829.77	3,998,280	45,422.76	27,387,735	38	28,500	31,414,515
	54 Putnam	331.52	346,107	4,278.83	2,579,928	1	750 1 500	2,926,785
	55 St. Johns 56 St. Lucie	1,377.86 1,588.16	1,438,486 1,658,039	22,903.10 17,446.46	13,809,465 10,519,375	2 10	1,500 7,500	15,249,451 12,184,914
	57 Santa Rosa	1,272.17	1,328,145	12,858.65	7,753,146	0	0	9,081,291
	58 Sarasota	1,036.77	1,082,388	11,638.09	7,017,207	3	2,250	8,101,845
	59 Seminole 60 Sumter	260.21 202.72	271,659 211,640	13,527.21 2,273.22	8,156,256 1,370,642	5 0	3,750 0	8,431,665 1,582,282
	61 Suwannee	151.69	158,364	2,436.92	1,469,345	0	0	1,627,709
	62 Taylor	100.79	105,225	1,259.45	759,388	0	0	864,613
	63 Union 64 Volusia	17.35 1,241.63	18,113 1,296,262	956.08 20,083.59	576,470 12,109,437	0 11	0 8,250	594,583 13,413,949
	65 Wakulla	64.15	66,973	2,714.64	1,636,797	2	1,500	1,705,270
	66 Walton	322.72	336,920	4,823.91	2,908,585	3	2,250	3,247,755
	67 Washington 69 FAMU Lab School	86.79 0.00	90,609 0	1,454.41 0.00	876,939 0	1 0	750 0	968,298 0
	70 FAU Lab - PB	0.00	0	0.00	0	0	0	0
	71 FAU Lab - St. Lucie	0.00	0	0.00	0	0	0	0
	72 FSU Lab - Broward 73 FSU Lab - Leon	0.00 0.00	0 0	0.00 0.00	0	0	0	0
	74 UF Lab School	0.00	0	0.00	0	0	0	0
$\Delta N A \Box$	75 Virtual School	0.00	0	0.00	0	0	0	0
AIVIL	76 FSU Lab - Bay	0.00	0	0.00	0	0	0	0
	Total G	63,880.69	66,691,443	777,205.95	468,617,731	696.00	522,000	535,831,174
•						FL-BREV	ARD-23-12	39-A-000271
						··		

	District	2023 Tax Roll	Discretionary Millage or Equivalent	Value of .748 Mills & Discretionary Contribution	.748 Mill Discretionary Local Effort	2023-2024 Unweighted FTE	Value of Discretionary Mills per FTE	Col. 6 Amount Below Avg \$776.12	Compression Supplement to \$776.12 per FTE
	Diotriot	-1-	-2-	-3-	-4-	-5-	-6-	-7-	-8-
1	Alachua	24,373,683,606	0.748	17,502,255	17,502,255	31,792.99	550.51	225.61	7,172,816
2	Baker	1,676,210,624	0.748	1,203,653	1,203,653	4,918.19	244.73	531.39	2,613,477
3	Bay	28,854,866,655	0.748	20,720,103	20,720,103	27,874.00	743.35	32.77	913,431
5	Bradford Brevard	1,524,297,766 71,824,371,140	0.748 0.748	1,094,568 51,575,644	1,094,568 51,575,644	3,210.85 79,849.34	340.90 645.91	435.22 130.21	1,397,426 10,397,183
6	Broward	299,084,626,541	0.748	214,766,689	214,766,689	272,606.05	787.83	0.00	0
7	Calhoun	587,696,752	0.748	422,013	422,013	2,083.69	202.53	573.59	1,195,184
8	Charlotte	31,113,963,434	0.748	22,342,315	22,342,315	17,691.86	1,262.86	0.00	0
10	Citrus Clay	15,722,704,370 18,343,845,406	0.748 0.748	11,290,160 13,172,349	11,290,160 13,172,349	16,435.91 40,309.21	686.92 326.78	89.20 449.34	1,466,083 18,112,540
11	Collier	157,495,824,319	0.748	113,094,602	113,094,602	50,791.17	2,226.66	0.00	0
12	Columbia	4,349,878,793	0.748	3,123,561	3,123,561	10,279.19	303.87	472.25	4,854,347
13	Dade	476,587,248,659	0.748	342,227,772	342,227,772	367,941.88	930.11	0.00	0
14	De Soto Dixie	2,781,988,359 811,975,582	0.748 0.748	1,997,690 583,063	1,997,690 583,063	4,689.78 2,143.21	425.97 272.05	350.15 504.07	1,642,126 1,080,328
16	Duval	113,194,855,965	0.748	81,282,962	81,282,962	141,955.53	572.59	203.53	28,892,209
17	Escambia	31,488,188,254	0.748	22,611,038	22,611,038	40,046.49	564.62	211.50	8,469,833
18	Flagler	17,307,083,635	0.748	12,427,871	12,427,871	14,201.17	875.13	0.00	0
	Franklin	3,614,276,978	0.748	2,595,340	2,595,340	1,150.18	2,256.46	0.00	2 002 284
20	Gadsden Gilchrist	2,228,207,985 1,288,373,203	0.748 0.748	1,600,032 925,155	1,600,032 925,155	4,641.47 2,969.65	344.73 311.54	431.39 464.58	2,002,284 1,379,640
	Glades	1,164,268,836	0.748	836,038	836,038	1,853.61	451.03	325.09	602,590
23	Gulf	3,659,738,874	0.748	2,627,985	2,627,985	1,956.86	1,342.96	0.00	0
24	Hamilton	1,267,867,491	0.748	910,430	910,430	1,697.12	536.46	239.66	406,732
25	Hardee	2,402,031,635	0.748	1,724,851	1,724,851	4,918.53	350.68	425.44	2,092,539
26 27	Hendry Hernando	4,321,080,044 17,766,044,716	0.748 0.748	3,102,881 12,757,441	3,102,881 12,757,441	13,802.85 26,359.83	224.80 483.97	551.32 292.15	7,609,787 7,701,024
28	Highlands	8,413,975,728	0.748	6,041,908	6,041,908	12,613.03	479.02	297.10	3,747,331
29	Hillsborough	178,487,611,575	0.748	128,168,384	128,168,384	234,990.31	545.42	230.70	54,212,265
30	Holmes	679,234,331	0.748	487,745	487,745	3,250.92	150.03	626.09	2,035,369
31	Indian River	30,041,617,271	0.748	21,572,285	21,572,285	17,843.37	1,208.98	0.00	2,000,207
32	Jackson Jefferson	2,316,123,567 1,017,831,896	0.748 0.748	1,663,162 730,885	1,663,162 730,885	5,994.62 971.88	277.44 752.03	498.68 24.09	2,989,397 23,413
34	Lafayette	392,719,024	0.748	282,004	282,004	1,163.58	242.36	533.76	621,072
	Lake	38,523,759,580	0.748	27,663,141	27,663,141	51,531.14	536.82	239.30	12,331,402
36	Lee	137,995,929,691	0.748	99,092,117	99,092,117	104,369.14	949.44	0.00	0
37 38	Leon Levy	25,995,511,089 3,275,625,213	0.748 0.748	18,666,857 2,352,161	18,666,857 2,352,161	34,125.68 5,817.30	547.00 404.34	229.12 371.78	7,818,876 2,162,756
	Liberty	416,549,588	0.748	2,332,101	299,116	1,307.58	228.76	547.36	715,717
40	Madison	1,144,649,001	0.748	821,950	821,950	2,392.40	343.57	432.55	1,034,833
41	Manatee	68,896,403,965	0.748	49,473,130	49,473,130	53,766.67	920.14	0.00	0
	Marion Martin	34,326,688,513	0.748	24,649,308	24,649,308	48,130.89	512.13	263.99	12,706,074
43	Martin Monroe	34,050,978,591 48,012,075,199	0.748 0.748	24,451,327 34,476,511	24,451,327 34,476,511	19,192.65 8,736.71	1,273.99 3,946.17	0.00 0.00	0
45	Nassau	15,930,770,842	0.748	11,439,568	11,439,568	13,801.72	828.85	0.00	ő
46	Okaloosa	30,238,457,352	0.748	21,713,631	21,713,631	34,016.69	638.32	137.80	4,687,500
	Okeechobee	4,566,986,988	0.748	3,279,462	3,279,462	6,451.51	508.32	267.80	1,727,714
	Orange Osceola	226,170,580,472 49,718,661,357	0.748 0.748	162,408,570 35,701,976	162,408,570 35,701,976	220,465.36 79,465.82	736.66 449.27	39.46 326.85	8,699,563 25,973,403
	Palm Beach	326,409,913,434	0.748	234,388,431	234,388,431	203,305.63	1,152.89	0.00	25,975,405
51	Pasco	53,471,959,704	0.748	38,397,145	38,397,145	88,536.21	433.69	342.43	30,317,454
	Pinellas	140,550,573,681	0.748	100,926,556	100,926,556	99,690.85	1,012.40	0.00	0
	Polk	68,474,208,952	0.748	49,169,960	49,169,960	123,541.52	398.00	378.12	46,713,520
54	Putnam St. Johns	6,865,203,601 52,415,518,358	0.748 0.748	4,929,765 37,638,535	4,929,765 37,638,535	10,314.21 54,145.47	477.96 695.14	298.16 80.98	3,075,285 4,384,700
56	St. Lucie	41,210,273,029	0.748	29,592,273	29,592,273	49,935.59	592.61	183.51	9,163,680
57	Santa Rosa	18,510,942,891	0.748	13,292,338	13,292,338	32,137.39	413.61	362.51	11,650,125
	Sarasota	108,312,798,299	0.748	77,777,254	77,777,254	48,971.85	1,588.20	0.00	10 207 102
	Seminole Sumter	54,390,126,390 23,423,364,610	0.748 0.748	39,056,462 16,819,850	39,056,462 16,819,850	71,360.08 10,068.08	547.32 1,670.61	228.80 0.00	16,327,186 0
61	Suwannee	2,738,257,370	0.748	1,966,288	1,966,288	6,189.05	317.70	458.42	2,837,184
62	Taylor	2,089,038,559	0.748	1,500,097	1,500,097	2,776.96	540.19	235.93	655,168
	Union	408,701,577	0.748	293,480	293,480	2,351.48	124.81	651.31	1,531,542
	Volusia Wakulla	63,884,640,491 2,367,036,058	0.748 0.748	45,874,283 1,699,721	45,874,283 1,699,721	66,219.17 5,331.42	692.76 318.81	83.36 457.31	5,520,030 2,438,112
66	Walton	43,938,043,187	0.748	31,551,030	31,551,030	12,198.75	2,586.42	0.00	2,436,112
	Washington	1,387,817,731	0.748	996,564	996,564	3,237.62	307.81	468.31	1,516,210
	FAMU Lab School	0	0.000	331,619	0	606.25	547.00	229.12	138,904
	FAULab - PB	0	0.000	1,519,198	0	1,317.73	1,152.89	0.00 183 51	0 267 143
	FAU Lab - St. Lucie FSU Lab - Broward	0	0.000 0.000	862,686 551,182	0	1,455.74 699.62	592.61 787.83	183.51 0.00	267,143 0
	FSU Lab - Leon	Ö	0.000	1,035,066	Ö	1,892.26	547.00	229.12	433,555
74	UF Lab School	0	0.000	690,863	0	1,254.95	550.51	225.61	283,129
75	Virtual School	0	0.000	37,245,186	0	48,849.99	762.44	13.68	668,268
76	VEDCI	0	0.000	92,919	0	125.00	743.35	32.77	4,096
	TOTAL	3,286,296,358,377	0.748	2,402,152,410	2,359,823,691	3,095,082.45	776.12	0.00	389,413,555

# 2023-2024 FEFP - CONFERENCE REPORT, MAY 2, 2023 Federally Connected Student Supplement

Dist	:-4	Student	Exempt Property	Total
Distr	TCT	Allocation -1-	Allocation -2-	Allocation -3-
1 Alac	hua	0	0	0
2 Bake		0	0	ő
3 Bay 4 Brac	lford	366,016 0	764,665 0	1,130,681
5 Brev		505,673	2,578,237	0 3,083,910
6 Brov		0	0	0
7 Calh 8 Cha	rlotte	0	0	0
9 Citru		0	0	0
10 Clay		438,603	0	438,603 0
12 Colu	ımbia	0	0	0
13 Dad		265,568	0	265,568 0
15 Dixie		0	0	0
16 Duva	al ambia	640,749 377,627	406,907 1,201,671	1,047,656 1,579,298
18 Flag		0	1,201,071	1,579,290
19 Fran		0	0	0
20 Gad 21 Gilcl	sden hrist	0	0	0
22 Glad	les	114,546	269,842	384,388
23 Gulf 24 Ham		0	0	0
25 Hard	lee	0	0	0
26 Hen	dry nando	0 0	0	0
1	lands	ŏ	0	Ő
29 Hills 30 Holn	borough	1,135,932	371,134 0	1,507,066
	an River	0	0	0
32 Jack		0	0	0
1	erson yette	0	0	0
35 Lake		0	0	0
36 Lee 37 Leor	1	143,450 0	0	143,450 0
38 Levy		ő	Ö	Ö
39 Libe 40 Mad		0 0	0	0
41 Man		0	0	0
42 Mari 43 Mart		0	0	0
43 Mart 44 Mon		77,266	732,151	0 809,417
45 Nas		0	0	0
	loosa echobee	1,587,764	1,514,078 0	3,101,842 0
48 Orar	nge	0	0	0
49 Osco 50 Paln	eola n Beach	0 22,034	0	0 22,034
51 Paso		0	0	0
52 Pine 53 Polk		0	0	0
54 Putn	iam	0	0	0
	ohns	0	0	0
56 St. L 57 Sant	ucie la Rosa	573,360	0 871,456	0 1,444,816
58 Sara	isota	0	0	0
59 Sem	inole iter	0 0	0	0
61 Suw	annee	0	0	0
62 Tayl		0 0	0	0
64 Volu	sia	0	0	0
65 Wak		0	0	0
1	hington	0	0	0
I	IU Lab School	0	0	0
	Lab - PB Lab - St. Lucie	0	0	0
72 FSU	Lab - Broward	0	0	0
	Lab - Leon Lab School	0 0	0	0
75 Virtu	al School	0	0	0
76 FSU	Lab - Bay	0	0	0

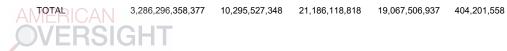


#### 2023-2024 FEFP - CONFERENCE REPORT, MAY 2, 2023 Required Local Effort, Equalization to Prior Year Assessment Levels

Required Average Mills = 3.262

				rtequireu /	Average Mills =	3.202		2222 2224	0000 0001
			2022	2022	2022 2022			2023-2024	2023-2024
		0000	2022	2022	2022-2023	E I' 4'	0000	Millage	Equalized
	District	2022	Assessment	Equalization	Unequalized	Equalization	2023	Rate	RLE
	District	Tax Roll	Levels	Factors	RLE	Amount	Tax Roll	Adjustment	Mills
		-1-	-2-	-3-	-4-	-5-	-6-	-7-	-8-
<u> </u>		00 005 044 040		(0.047500)	70.070.050	(4.0.40.400)	04 070 000 000	(0.050)	0.000
1	Alachua	22,665,241,640	96.8	(0.017562)	70,976,658	(1,246,492)	24,373,683,606	(0.053)	3.209
2	Baker	1,462,036,875	95.6	(0.005230)	4,578,398	(23,945)	1,676,210,624	(0.015)	3.247
3	Bay	25,483,138,186	93.5	0.017112	79,800,957	1,365,554	28,854,866,655	0.049	3.311
4	Bradford	1,323,889,410	95.2	(0.001050)	4,145,786	(4,353)	1,524,297,766	(0.003)	3.259
5	Brevard	62,604,819,089	96.9	(0.018576)	196,048,243	(3,641,792)	71,824,371,140	(0.053)	3.209
6	Broward	267,545,856,370	96.2	(0.011435)	837,825,200	(9,580,531)	299,084,626,541	(0.033)	3.229
7	Calhoun	537,628,257	100.3	(0.051844)	1,683,594	(87,284)	587,696,752	(0.155)	3.107
8	Charlotte	28,460,112,934	93.9	0.012780	89,123,413	1,138,997	31,113,963,434	0.038	3.300
9	Citrus	13,954,936,486	95.0	0.001053	43,700,163	46,016	15,722,704,370	0.003	3.265
10	Clay	16,555,465,982	96.4	(0.013485)	51,843,773	(699,113)	18,343,845,406	(0.040)	3.222
11	Collier	142,000,430,001	93.3	0.019293	444,677,187	8,579,157	157,495,824,319	0.057	3.319
12	Columbia	3,966,749,246	94.2	0.009554	12,421,955	118,679	4,349,878,793	0.028	3.290
1	Dade	428,837,004,339	93.3	0.019293	1,342,911,656	25,908,795	476,587,248,659	0.057	3.319
14	De Soto	2,551,056,890	98.3	(0.032553)	7,988,686	(260,056)	2,781,988,359	(0.097)	3.165
15	Dixie	731,822,835	93.7	0.014941	2,291,718	34,241	811,975,582	0.044	3.306
16	Duval	99,713,912,599	95.3	(0.002099)	312,256,112	(655,426)	113,194,855,965	(0.006)	3.256
17	Escambia	27,522,536,974	95.5	(0.004188)	86,187,375	(360,953)	31,488,188,254	(0.012)	3.250
18	Flagler	15,099,151,267	96.2	(0.011435)	47,283,294	(540,684)	17,307,083,635	(0.033)	3.229
		3,143,588,897	92.1	0.032573	9,844,212	320,656	3,614,276,978	0.092	3.354
20	Gadsden	2,086,324,185	94.7	0.004224	6,533,366	27,597	2,228,207,985	0.013	3.275
21	Gilchrist	1,171,423,200	94.2	0.009554	3,668,335	35,047	1,288,373,203	0.028	3.290
22	Glades	1,047,538,341	97.8	(0.027607)	3,280,387	(90,562)	1,164,268,836	(0.081)	3.181
23	Gulf	3,170,775,022	94.1	0.010627	9,929,345	105,519	3,659,738,874	0.030	3.292
24	Hamilton	1,175,488,129	97.9	(0.028601)	3,681,065	(105,282)	1,267,867,491	(0.086)	3.176
25	Hardee	2,228,976,440	96.3	(0.012461)	6,980,084	(86,979)	2,402,031,635	(0.038)	3.224
26	Hendry	3,732,859,455	102.0	(0.067647)	11,689,524	(790,761)	4,321,080,044	(0.191)	3.071
27		15,480,087,369	98.5	(0.034518)	48,476,203	(1,673,302)	17,766,044,716	(0.098)	3.164
28	Highlands	7,441,492,775	95.1	0.000000	23,303,183	(1,010,002)	8,413,975,728	0.000	3.262
29	Hillsborough	158,177,834,006	97.0	(0.019588)	495,337,051	(9,702,662)	178,487,611,575	(0.057)	3.205
30	Holmes	617,265,857	102.8	(0.074903)	1,932,980	(144,786)	679,234,331	(0.222)	3.040
31	Indian River	25,807,424,289	96.2	(0.011435)	80,816,465	(924,136)	30,041,617,271	(0.032)	3.230
32	Jackson	2,133,895,780	95.6	(0.005230)	6,682,337	(34,949)	2,316,123,567	(0.032)	3.246
33	Jefferson	887,531,843	97.4	(0.023614)	2,779,324	(65,631)	1,017,831,896	(0.067)	3.195
34	Lafayette	353,875,324	99.1	(0.040363)	1,108,168	(44,729)	392,719,024	(0.119)	3.143
35	Lake	34,502,714,714	94.7	0.004224	108,045,941	456,386	38,523,759,580	0.012	3.143
36	Lee	133,918,480,158	95.9	(0.008342)	419,368,399	(3,498,371)	137,995,929,691	(0.026)	3.236
37	Leon	23,067,793,019	94.8	0.003165	72,237,255	228,631	25,995,511,089	0.009	3.271
38	Levy	2,959,330,005	94.9	0.003103	9,267,201	19,526		0.009	3.268
							3,275,625,213		
39	Liberty	357,567,161	100.2	(0.050898)	1,119,729	(56,992)	416,549,588	(0.143)	3.119
40	Madison	1,030,295,420	95.2	(0.001050)	3,226,391	(3,388)	1,144,649,001	(0.003)	3.259
41	Manatee	59,967,982,716	95.7	(0.006270)	187,790,937	(1,177,449)	68,896,403,965	(0.018)	3.244
42	Marion	29,733,959,233	95.5	(0.004188)	93,112,488	(389,955)	34,326,688,513	(0.012)	3.250
43	Martin	30,981,681,180	94.9	0.002107	97,019,754	204,421	34,050,978,591	0.006	3.268
44	Monroe	44,572,134,368	93.8	0.013859	139,578,530	1,934,419	48,012,075,199	0.042	3.304
45	Nassau	14,295,655,605	94.3	0.008484	44,767,131	379,804	15,930,770,842	0.025	3.287
46	Okaloosa	26,975,969,801	93.8	0.013859	84,475,789	1,170,750	30,238,457,352	0.040	3.302
47	Okeechobee	4,033,396,569	96.7	(0.016546)	12,630,662	(208,987)	4,566,986,988	(0.048)	3.214
48	Orange	202,549,692,019	96.1	(0.010406)	634,288,412	(6,600,405)	226,170,580,472	(0.030)	3.232
	Osceola	44,263,539,646	93.2	0.020386	138,612,160	2,825,747	49,718,661,357	0.059	3.321
	Palm Beach	287,272,655,931	94.7	0.004224	899,600,068	3,799,911	326,409,913,434	0.012	3.274
51	Pasco	46,639,634,677	94.7	0.004224	146,052,949	616,928	53,471,959,704	0.012	3.274
	Pinellas	125,121,263,640	95.1	0.000000	391,819,740	0	140,550,573,681	0.000	3.262
	Polk	59,797,479,953	96.1	(0.010406)	187,257,004	(1,948,596)	68,474,208,952	(0.030)	3.232
	Putnam	6,182,576,819	97.8	(0.027607)	19,360,863	(534,495)	6,865,203,601	(0.081)	3.181
55	St. Johns	45,659,707,648	96.1	(0.010406)	142,984,288	(1,487,895)	52,415,518,358	(0.030)	3.232
56	St. Lucie	36,335,518,040	96.7	(0.016546)	113,785,401	(1,882,693)	41,210,273,029	(0.048)	3.214
57	Santa Rosa	16,413,433,562	94.8	0.003165	51,398,995	162,678	18,510,942,891	0.009	3.271
58	Sarasota	94,765,866,616	93.5	0.017112	296,761,207	5,078,178	108,312,798,299	0.049	3.311
59		49,871,451,145	97.3	(0.022610)	156,173,447	(3,531,082)	54,390,126,390	(0.068)	3.194
1	Sumter	19,829,214,333	96.0	(0.009375)	62,095,581	(582,146)	23,423,364,610	(0.026)	3.236
61	Suwannee	2,547,621,615	93.7	0.014941	7,977,928	119,198	2,738,257,370	0.045	3.307
	Taylor	1,960,659,389	94.4	0.007415	6,139,844	45,527	2,089,038,559	0.023	3.285
	Union	360,990,536	95.8	(0.007307)	1,130,449	(8,260)	408,701,577	(0.021)	3.241
	Volusia	56,003,169,364	96.1	(0.010406)	175,375,045	(1,824,953)	63,884,640,491	(0.030)	3.232
65	Wakulla	2,063,726,982	96.2	(0.011435)	6,462,602	(73,900)	2,367,036,058	(0.033)	3.229
66	Walton	38,464,644,884	92.0	0.033696	120,452,805	4,058,778	43,938,043,187	0.096	3.358
67	Washington	1,266,012,959	93.8	0.013859	3,964,545	54,945	1,387,817,731	0.041	3.303
69	FAMU Lab School	1,200,012,939	0.0	0.000000	0	0	1,307,017,731	0.000	0.000
	FAU Lab - PB	0	0.0	0.000000	0	0	0	0.000	0.000
	FAU Lab - Pb FAU Lab - St. Lucie	0	0.0	0.000000	0	0	0	0.000	0.000
1	FSU Lab - Broward	0	0.0	0.000000	0	0	0	0.000	0.000
	FSU Lab - Leon	0	0.0	0.000000	0	0	0	0.000	0.000
74		0		0.000000		0	0	0.000	
1	Virtual School	0	0.0		0	0			0.000
	VIITUAL OCHOOL	1 0	0.0	0.000000			0	0.000	0.000
	FSU Lab - Bay	0	0.0	0.000000	0	0	0	0.000	0.000

									2023-2024	
					Gross State				Adjusted	2023-2024
			Equalized	Gross State	& Local	RLE Amount		Less:	Required	Total
		2023	Required	& Local	FEFP	Above	Equalized	Millage	Local Effort	Required
	District	Tax Roll	Local Effort	FEFP	90%	90% FEFP	Millage	to 90%	Mills	Local Effort
		-9-	-10-	-11-	-12-	-13-	-14-	-15-	-16-	-17-
	Alachua	24,373,683,606	75,086,545	217,703,926	195,933,533	0	3.209	0.000	3.209	75,086,545
	Baker	1,676,210,624	5,224,950	36,778,376	33,100,538	0	3.247	0.000	3.247	5,224,950
	Bay Bradford	28,854,866,655	91,716,925 4,768,979	193,553,299 24,360,051	174,197,969	0	3.311 3.259	0.000	3.311 3.259	91,716,925 4,768,979
	Brevard	1,524,297,766 71,824,371,140	221,265,031	547,113,385	21,924,046 492,402,047	0	3.259	0.000	3.259	221,265,031
	Broward	299,084,626,541	927,114,489	1,823,165,106	1,640,848,595	0	3.229	0.000	3.229	927,114,489
	Calhoun	587,696,752	1,752,935	16,919,047	15,227,142	0	3.107	0.000	3.107	1,752,935
	Charlotte	31,113,963,434	98,569,036	118,818,548	106,936,693	0	3.300	0.000	3.300	98,569,036
9	Citrus	15,722,704,370	49,281,245	111,265,460	100,138,914	0	3.265	0.000	3.265	49,281,245
	Clay	18,343,845,406	56,739,715	288,692,864	259,823,578	0	3.222	0.000	3.222	56,739,715
11	Collier	157,495,824,319	501,819,495	359,671,624	323,704,462	178,115,033	3.319	1.178	2.141	323,710,617
	Columbia	4,349,878,793	13,738,657	75,363,172	67,826,855	0	3.290	0.000	3.290	13,738,657
	Dade	476,587,248,659	1,518,521,355	2,499,906,393	2,249,915,754	0	3.319	0.000	3.319	1,518,521,355
	De Soto Dixie	2,781,988,359 811,975,582	8,452,793 2,577,016	34,278,462 16,497,344	30,850,616 14,847,610	0	3.165 3.306	0.000	3.165 3.306	8,452,793 2,577,016
	Duval	113,194,855,965	353,819,953	965,049,630	868,544,667	0	3.256	0.000	3.256	353,819,953
	Escambia	31,488,188,254	98,243,147	276,753,331	249,077,998	0	3.250	0.000	3.250	98,243,147
	Flagler	17,307,083,635	53,649,190	95,276,056	85,748,450	0	3.229	0.000	3.229	53,649,190
	Franklin	3,614,276,978	11,637,394	8,130,129	7,317,116	4,320,278	3.354	1.245	2.109	7,317,610
	Gadsden	2,228,207,985	7,005,486	34,427,315	30,984,584	0	3.275	0.000	3.275	7,005,486
	Gilchrist	1,288,373,203	4,069,198	23,864,980	21,478,482	0	3.290	0.000	3.290	4,069,198
	Glades	1,164,268,836	3,555,398	14,849,673	13,364,706	0	3.181	0.000	3.181	3,555,398
	Gulf	3,659,738,874	11,565,946	13,577,946	12,220,151	0	3.292	0.000	3.292	11,565,946
	Hamilton	1,267,867,491	3,865,677 7,434,384	12,671,728	11,404,555	0	3.176	0.000	3.176	3,865,677
	Hardee Hendry	2,402,031,635 4,321,080,044	12,739,235	35,260,753 96,777,747	31,734,678 87,099,972	0	3.224 3.071	0.000	3.224 3.071	7,434,384 12,739,235
	Hernando	17,766,044,716	53,963,295	183,345,739	165,011,165	0	3.164	0.000	3.164	53,963,295
	Highlands	8,413,975,728	26,348,533	87,599,275	78,839,348	0	3.262	0.000	3.262	26,348,533
	Hillsborough	178,487,611,575	549,170,683	1,623,694,530	1,461,325,077	0	3.205	0.000	3.205	549,170,683
	Holmes	679,234,331	1,982,277	25,470,369	22,923,332	0	3.040	0.000	3.040	1,982,277
31	Indian River	30,041,617,271	93,153,047	115,875,898	104,288,308	0	3.230	0.000	3.230	93,153,047
	Jackson	2,316,123,567	7,217,412	45,865,982	41,279,384	0	3.246	0.000	3.246	7,217,412
33	Jefferson	1,017,831,896	3,121,894	8,335,594	7,502,035	0	3.195	0.000	3.195	3,121,894
	Lafayette	392,719,024	1,184,943	9,441,976	8,497,778	0	3.143	0.000	3.143	1,184,943
	Lake Lee	38,523,759,580 137,995,929,691	121,081,717 428,692,635	348,749,908 719,095,367	313,874,917 647,185,830	0	3.274 3.236	0.000	3.274 3.236	121,081,717 428,692,635
	Leon	25,995,511,089	81,630,064	236,576,479	212,918,831	0	3.230	0.000	3.230	81,630,064
	Levy	3,275,625,213	10,276,553	44,281,983	39,853,785	0	3.268	0.000	3.268	10,276,553
	Liberty	416,549,588	1,247,249	10,904,646	9,814,181	0	3.119	0.000	3.119	1,247,249
	Madison	1,144,649,001	3,581,195	17,932,100	16,138,890	0	3.259	0.000	3.259	3,581,195
41	Manatee	68,896,403,965	214,559,937	350,389,228	315,350,305	0	3.244	0.000	3.244	214,559,937
	Marion	34,326,688,513	107,099,268	338,639,790	304,775,811	0	3.250	0.000	3.250	107,099,268
	Martin	34,050,978,591	106,827,454	131,398,737	118,258,863	0	3.268	0.000	3.268	106,827,454
	Monroe	48,012,075,199	152,286,621	60,635,345	54,571,811	97,714,810	3.304	2.120	1.184	54,572,445
	Nassau Okaloosa	15,930,770,842	50,269,866	92,490,357	83,241,321	0	3.287	0.000	3.287	50,269,866 95,853,491
	Okaloosa Okeechobee	30,238,457,352 4,566,986,988	95,853,491 14,091,164	235,148,114 46,596,249	211,633,303 41,936,624	0	3.302 3.214	0.000	3.302 3.214	14,091,164
	Orange	226,170,580,472	701,743,983	1,484,371,168	1,335,934,051	0	3.232	0.000	3.232	701,743,983
	Osceola	49,718,661,357	158,511,047	544,258,336	489,832,502	0	3.321	0.000	3.321	158,511,047
	Palm Beach	326,409,913,434	1,025,919,414	1,404,669,959	1,264,202,963	0	3.274	0.000	3.274	1,025,919,414
	Pasco	53,471,959,704	168,064,508	622,421,964	560,179,768	0	3.274	0.000	3.274	168,064,508
	Pinellas	140,550,573,681	440,136,932	664,999,800	598,499,820	0	3.262	0.000	3.262	440,136,932
	Polk	68,474,208,952	212,456,298	864,345,954	777,911,359	0	3.232	0.000	3.232	212,456,298
	Putnam St. Johns	6,865,203,601	20,964,684	73,746,686	66,372,017	0	3.181	0.000	3.181	20,964,684
	St. Johns St. Lucie	52,415,518,358 41,210,273,029	162,630,677 127,151,825	370,210,504 340,928,522	333,189,454 306,835,670	0	3.232 3.214	0.000	3.232 3.214	162,630,677 127,151,825
	Santa Rosa	18,510,942,891	58,127,322	228,796,160	205,916,544	0	3.214	0.000	3.214	58,127,322
	Sarasota	108,312,798,299	344,278,728	336,628,187	302,965,368	41,313,360	3.311	0.397	2.914	302,998,554
	Seminole	54,390,126,390	166,773,181	479,906,992	431,916,293	0	3.194	0.000	3.194	166,773,181
	Sumter	23,423,364,610	72,766,088	66,571,743	59,914,569	12,851,519	3.236	0.572	2.664	59,903,850
	Suwannee	2,738,257,370	8,693,200	43,651,787	39,286,608	0	3.307	0.000	3.307	8,693,200
	Taylor	2,089,038,559	6,587,992	20,792,475	18,713,228	0	3.285	0.000	3.285	6,587,992
	Union	408,701,577	1,271,618	18,260,265	16,434,239	0	3.241	0.000	3.241	1,271,618
	Volusia	63,884,640,491	198,216,152	446,424,851	401,782,366	0	3.232	0.000	3.232	198,216,152
	Wakulla Walton	2,367,036,058 43,938,043,187	7,337,433 141,642,191	38,742,840 79,728,481	34,868,556 71,755,633	0 69,886,558	3.229 3.358	0.000	3.229 1.701	7,337,433 71,749,067
	Washington	1,387,817,731	4,400,603	25,403,580	22,863,222	09,886,338	3.303	1.657 0.000	3.303	4,400,603
	FAMU Lab School	1,367,617,731	4,400,003	5,103,956	4,593,560	0	0.000	0.000	0.000	4,400,003
	FAU Lab - PB	0	0	11,460,294	10,314,265	0	0.000	0.000	0.000	0
	FAU Lab - St. Lucie	0	0	10,402,586	9,362,327	0	0.000	0.000	0.000	0
	FSU Lab - Broward	0	0	5,430,121	4,887,109	0	0.000	0.000	0.000	0
	FSU Lab - Leon	0	0	14,161,862	12,745,676	0	0.000	0.000	0.000	0
	UF Lab School	0	0	9,890,496	8,901,446	0	0.000	0.000	0.000	0
	Virtual School	0	0	300,460,012	270,414,011	0	0.000	0.000	0.000	0
76	FSU Lab - Bay	0	0	1,155,226	1,039,703	0	0.000	0.000	0.000	0



3.262 9,891,348,974

#### 2023-2024 FEFP - CONFERENCE REPORT, MAY 2, 2023 Millage Rates & Local Effort Taxes

	Diatriat	2023-2024 Adjusted Required Local Effort	Discretionary Millage	Total Actual FEFP	2023 Toy Dell	2023-2024 Total Required	.748 Mill Discretionary	Total Local Effort
	District	Mills -1-	or Equivalent -2-	Millage -3-	Tax Roll -4-	Local Effort -5-	Local Effort -6-	Taxes -7-
1	Alachua	3.209	0.748	3.957	24,373,683,606	75,086,545	17,502,255	92,588,8
	Baker	3.247	0.748	3.995	1,676,210,624	5,224,950	1,203,653	6,428,6
3	Bay	3.311	0.748	4.059	28,854,866,655	91,716,925	20,720,103	112,437,0
4	Bradford	3.259	0.748	4.007	1,524,297,766	4,768,979	1,094,568	5,863,5
5	Brevard	3.209	0.748	3.957	71,824,371,140	221,265,031	51,575,644	272,840,6
6	Broward	3.229	0.748	3.977	299,084,626,541	927,114,489	214,766,689	1,141,881,1
7	Calhoun	3.107	0.748	3.855	587,696,752	1,752,935	422,013	2,174,9
8	Charlotte	3.300	0.748	4.048	31,113,963,434	98,569,036	22,342,315	120,911,3
9	Citrus	3.265	0.748	4.013	15,722,704,370	49,281,245	11,290,160	60,571,4
	Clay	3.222	0.748	3.970	18,343,845,406	56,739,715	13,172,349	69,912,0
	Collier	2.141	0.748	2.889	157,495,824,319	323,710,617	113,094,602	436,805,2
	Columbia	3.290	0.748	4.038	4,349,878,793	13,738,657	3,123,561	16,862,2
	Dade	3.319	0.748	4.067	476,587,248,659	1,518,521,355	342,227,772	1,860,749,1
	De Soto	3.165	0.748	3.913	2,781,988,359	8,452,793	1,997,690	10,450,4
	Dixie	3.306	0.748	4.054	811,975,582	2,577,016	583,063	3,160,0
	Duval	3.256	0.748	4.004	113,194,855,965	353,819,953	81,282,962	435,102,9
	Escambia	3.250	0.748	3.998	31,488,188,254	98,243,147	22,611,038	120,854,1
	Flagler	3.229	0.748	3.977	17,307,083,635	53,649,190	12,427,871	66,077,0
	Franklin	2.109	0.748	2.857	3,614,276,978	7,317,610	2,595,340	9,912,9
	Gadsden	3.275	0.748	4.023	2,228,207,985	7,005,486	1,600,032	8,605,5
	Gilchrist	3.290	0.748	4.038	1,288,373,203	4,069,198	925,155	4,994,3
	Glades	3.181	0.748	3.929	1,164,268,836	3,555,398	836,038	4,391,4
	Gulf	3.292	0.748	4.040	3,659,738,874	11,565,946	2,627,985	14,193,9
	Hamilton	3.176	0.748	3.924	1,267,867,491	3,865,677	910,430	4,776,
	Hardee	3.224	0.748	3.972	2,402,031,635	7,434,384	1,724,851	9,159,2
	Hendry	3.071	0.748	3.819	4,321,080,044	12,739,235	3,102,881	15,842,
	Hernando	3.164	0.748	3.912	17,766,044,716	53,963,295	12,757,441	66,720,7
	Highlands	3.262	0.748	4.010	8,413,975,728	26,348,533	6,041,908	32,390,4
	Hillsborough	3.205	0.748	3.953	178,487,611,575	549,170,683	128,168,384	677,339,0
	Holmes	3.040	0.748	3.788	679,234,331	1,982,277	487,745	2,470,0
31	Indian River	3.230	0.748	3.978	30,041,617,271	93,153,047	21,572,285	114,725,3
	Jackson	3.246	0.748	3.994	2,316,123,567	7,217,412	1,663,162	8,880,
	Jefferson	3.195	0.748	3.943	1,017,831,896	3,121,894	730,885	3,852,7
	Lafayette	3.143	0.748	3.891	392,719,024	1,184,943	282,004	1,466,9
	Lake	3.274	0.748	4.022	38,523,759,580	121,081,717	27,663,141	148,744,8
	Lee	3.236	0.748	3.984	137,995,929,691	428,692,635	99,092,117	527,784,7
	Leon	3.271	0.748	4.019	25,995,511,089	81,630,064	18,666,857	100,296,9
	Levy	3.268	0.748	4.016	3,275,625,213	10,276,553	2,352,161	12,628,7
	Liberty	3.119 3.259	0.748 0.748	3.867 4.007	416,549,588	1,247,249	299,116 821,950	1,546,3 4,403,
_	Madison Manatee	3.244	0.748	3.992	1,144,649,001 68,896,403,965	3,581,195 214,559,937	49,473,130	264,033,0
	Marion	3.250	0.748	3.998	34,326,688,513	107,099,268	24,649,308	131,748,
	Martin	3.268	0.748	4.016	34,050,978,591	106,827,454	24,451,327	131,278,7
	Monroe	1.184	0.748	1.932	48,012,075,199	54,572,445	34,476,511	89,048,9
	Nassau	3.287	0.748	4.035	15,930,770,842	50,269,866	11,439,568	61,709,
_	Okaloosa	3.302	0.748	4.050	30,238,457,352	95,853,491	21,713,631	117,567,
	Okeechobee	3.214	0.748	3.962	4,566,986,988	14,091,164	3,279,462	17,370,0
	Orange	3.232	0.748	3.980	226,170,580,472	701,743,983	162,408,570	864,152,
	Osceola	3.321	0.748	4.069	49,718,661,357	158,511,047	35,701,976	194,213,0
	Palm Beach	3.274	0.748	4.022	326,409,913,434	1,025,919,414	234,388,431	1,260,307,8
<del>50</del> 51	Pasco	3.274	0.748	4.022	53,471,959,704	168,064,508	38,397,145	206.461.0
	Pinellas	3.262	0.748	4.010	140,550,573,681	440.136.932	100,926,556	541,063,4
	Polk	3.232	0.748	3.980	68,474,208,952	212,456,298	49,169,960	261,626,
	Putnam	3.181	0.748	3.929	6,865,203,601	20,964,684	4,929,765	25,894,4
	St. Johns	3.232	0.748	3.980	52,415,518,358	162,630,677	37,638,535	200,269,
	St. Lucie	3.214	0.748	3.962	41,210,273,029	127,151,825	29,592,273	156,744,0
	Santa Rosa	3.271	0.748	4.019	18,510,942,891	58,127,322	13,292,338	71,419,
	Sarasota	2.914	0.748	3.662	108,312,798,299	302,998,554	77,777,254	380.775.
	Seminole	3.194	0.748	3.942	54,390,126,390	166,773,181	39,056,462	205,829,
	Sumter	2.664	0.748	3.412	23,423,364,610	59,903,850	16,819,850	76,723,
	Suwannee	3.307	0.748	4.055	2,738,257,370	8,693,200	1,966,288	10,659,
	Taylor	3.285	0.748	4.033	2,089,038,559	6,587,992	1,500,097	8,088,0
	Union	3.241	0.748	3.989	408,701,577	1,271,618	293,480	1,565,0
	Volusia	3.232	0.748	3.980	63,884,640,491	198,216,152	45,874,283	244,090,4
	Wakulla	3.229	0.748	3.977	2,367,036,058	7,337,433	1,699,721	9,037,
	Walton	1.701	0.748	2.449	43,938,043,187	71,749,067	31,551,030	103,300,0
	Washington	3.303	0.748	4.051	1,387,817,731	4,400,603	996,564	5,397,
	FAMU Lab School	0.000	0.000	0.000	0	4,400,000	0	5,557,
	FAU Lab - PB	0.000	0.000	0.000	Ő	0	Ö	
	FAU Lab - St. Lucie	0.000	0.000	0.000	Ŏ	ő	ő	
	FSU Lab - Broward	0.000	0.000	0.000	ő	ő	Ő	
	FSU Lab - Leon	0.000	0.000	0.000	ő	ő	Ő	
73	UF Lab School	0.000	0.000	0.000	Ő	0	Ö	
					ő	ő	ő	
74		0.000	(),()()()	U DOO I	1,7		1,7	
74 75_	Virtual School	0.000 0.000	0.000 0.000	0.000 0.000	0	0	0	
74 75_		0.000	0.000	0.000				

#### Class Size Reduction Allocation Summary

		PreK-3 Class Size	Grades 4-8 Class Size	Grades 9-12 Class Size	Class Size	Prorated Class Size
	District	Reduction Allocation	Reduction Allocation	Reduction Allocation	Reduction Allocation	Reduction Allocation
	District	-1-	-2-	-3-	-4-	-5-
1	Alachua	9,446,885	9,915,462	7,310,055	26,672,402	26,672,40
	Baker	1,701,322	1,646,645	1,284,149	4,632,116	4,632,11
3	Bay	10,137,962	10,127,759	7,528,362	27,794,083	27,794,08
	Bradford	1,038,606	1,002,705	697,919	2,739,230	2,739,23
	Brevard	24,998,002	26,070,825	20,365,258	71,434,085	71,434,08
	Broward Calhoun	84,172,769 719,704	90,496,232 697,527	74,647,472   566,323	249,316,473 1,983,554	249,316,47 1,983,55
	Charlotte	5,363,426	5,686,517	5,300,725	16,350,668	16,350,66
9	Citrus	5,127,400	5,500,620	4,220,644	14,848,664	14,848,66
10	Clay	12,637,155	13,511,668	11,010,556	37,159,379	37,159,37
	Collier	17,333,045	17,935,387	14,934,940	50,203,372	50,203,37
	Columbia	3,713,833	3,201,522	2,327,926	9,243,281	9,243,28
	Dade Da Sata	114,017,200	123,928,812	98,781,223	336,727,235	336,727,23
	De Soto Dixie	1,509,568 793,806	1,640,447 659,221	1,139,494   514,619	4,289,509 1,967,646	4,289,50 1,967,64
_	Duval	46,794,823	45,174,102	32,611,542	124,580,467	124,580,46
	Escambia	13,023,904	12,660,289	10,204,169	35,888,362	35,888,36
18	Flagler	3,970,232	4,829,394	4,112,229	12,911,855	12,911,85
	Franklin	400,802	412,480	251,882	1,065,164	1,065,16
	Gadsden	1,542,506	1,432,231	1,091,291	4,066,028	4,066,02
21	Gilchrist Glades	1,130,418	976,893	618,073	2,725,384	2,725,38
	Glades	707,404 628.451	762,832 713,532	292,929 521,322	1,763,165 1,863,305	1,763,16 1,863,30
	Hamilton	511.130	552,235	404,844	1,468,209	1,468,20
	Hardee	1,639,833	1,751,839	1,255,753	4,647,425	4,647,42
	Hendry	2,468,756	2,478,010	2,300,909	7,247,675	7,247,67
27	Hernando	8,256,427	8,599,490	6,706,802	23,562,719	23,562,7
	Highlands	3,889,582	4,028,545	3,331,816	11,249,943	11,249,94
	Hillsborough	75,631,825	79,354,267	60,325,925	215,312,017	215,312,01
	Holmes Indian River	1,069,734	1,099,567	792,557	2,961,858	2,961,85
	Jackson	5,711,693 2,291,841	5,796,941 2,009,608	4,869,353   1,434,210	16,377,987 5,735,659	16,377,98 5,735,65
	Jefferson	251,803	236,327	203,560	691,690	691,69
	Lafayette	371,654	385,808	329,787	1,087,249	1,087,24
35	Lake	15,961,907	16,957,243	13,238,947	46,158,097	46,158,09
	Lee	34,482,699	35,851,174	29,639,152	99,973,025	99,973,02
	Leon	11,343,287	10,967,964	8,447,318	30,758,569	30,758,56
	Levy	2,079,012	1,891,368	1,316,563	5,286,943	5,286,94
	Liberty Madison	454,644 771,547	438,310 783,568	313,217   656,889	1,206,171 2,212,004	1,206,17 2,212,00
<del>40</del> 41	Manatee	17.149.446	17,953,986	13,930,227	49,033,659	49,033,65
	Marion	15,354,218	15,869,302	12,603,951	43,827,471	43,827,47
43	Martin	5,674,502	7,097,897	5,579,516	18,351,915	18,351,91
	Monroe	2,934,137	3,247,706	2,446,982	8,628,825	8,628,82
	Nassau	4,311,961	4,610,474	3,633,198	12,555,633	12,555,63
46 47	Okaloosa	10,977,138	11,638,159	8,330,361	30,945,658	30,945,65
	Okeechobee Orange	2,051,817 72,703,564	2,140,977 76,726,241	1,631,132   58,597,890	5,823,926 208,027,695	5,823,92 208,027,69
40 49	Osceola	22,968,890	26,918,630	21,388,892	71,276,412	71,276,4
	Palm Beach	64,170,749	70,354,696	57,562,776	192,088,221	192,088,22
51	Pasco	28,447,031	30,938,408	22,568,110	81,953,549	81,953,54
	Pinellas	29,493,478	30,692,524	26,393,600	86,579,602	86,579,60
	Polk	39,206,119	41,084,461	33,249,723	113,540,303	113,540,30
	Putnam	3,556,741	3,505,587	2,416,624	9,478,952	9,478,95
<u>55</u> 56	St. Johns St. Lucie	16,734,013	18,293,599	14,269,292	49,296,904	49,296,90 44,520,35
50 57	Santa Rosa	14,458,139 9,842,077	16,390,469 10,886,302	13,671,743   8,665,517	44,520,351 29,393,896	29,393,89
	Sarasota	14,893,360	17,496,164	13,504,526	45,894,050	45,894,0
	Seminole	20,615,853	22,439,108	18,704,289	61,759,250	61,759,2
60	Sumter	3,495,944	3,456,279	2,516,794	9,469,017	9,469,0
31	Suwannee	1,978,691	1,977,436	1,487,320	5,443,447	5,443,44
	Taylor	1,028,183	896,380	580,109	2,504,672	2,504,67
	Union	890,498	811,715	502,122	2,204,335	2,204,33
	Volusia Wakulla	19,928,434 1,996,421	21,701,446 1,734,124	17,971,226	59,601,106 5,033,785	59,601,10 5,033,78
66 66	Walton	3,961,931	4,143,610	1,303,240 2,940,467	11,046,008	5,033,78 11,046,00
	Washington	1,159,301	1,100,164	817,171	3,076,636	3,076,63
	FAMU Lab School	199,657	208,778	168,462	576,897	576,89
	FAU Lab - PB	270,601	360,103	648,450	1,279,154	1,279,15
	FAU Lab - St. Lucie	647,801	772,802	0	1,420,603	1,420,60
	FSU Lab - Broward	488,510	235,209	0	723,719	723,7
	FSU Lab - Leon UF Lab School	486,455	683,133 475,821	614,309	1,783,897 1 164 591	1,783,89
	Virtual School	230,852	475,821 0	457,918 0	1,164,591 0	1,164,59
	v ii tuur Ollillil		0	112,006	112,006	112,00



PreK to 3 Class Size Reduction Allocation

		2023-2024	2023-2024			PreK to 3
		PreK-3	PreK-3	\$947.59	Comparable	Class Size
	District	Unweighted Public FTE	Weighted Public FTE	X WFTE	Wage Factor	Reduction Allocation
	DISTRICT	-1-	-2-	-3-	-4-	-5-
		·				-
1		8,812.96	9,969.38	9,446,885		9,446,885
2		1,584.31	1,795.42	1,701,322		1,701,322
	Bay Bradford	8,808.96 957.11	10,698.68 1,096.05	10,137,962 1,038,606		10,137,962 1,038,606
	Brevard	22,846.35	26,380.61	24,998,002		24,998,002
	Broward	74,078.26	86,814.17	82,264,239	1.0232	84,172,769
7		647.92	759.51	719,704		719,704
8		4,817.49 4,794.62	5,660.07 5,410.99	5,363,426 5,127,400		5,363,426 5,127,400
_	Clay	11,618.86	13,336.10	12,637,155		12,637,155
11	Collier	14,605.00	17,410.73	16,498,234	1.0506	17,333,045
	Columbia	3,400.40	3,919.24	3,713,833		3,713,833
	Dade De Soto	100,234.42	118,161.00	111,968,182	1.0183	114,017,200
	Dixie	1,408.82 718.87	1,593.06 837.71	1,509,568 793,806		1,509,568 793,806
	Duval	42,830.65	49,029.97	46,460,309	1.0072	46,794,823
	Escambia	12,052.62	13,744.24	13,023,904		13,023,904
	Flagler	3,639.26	4,189.82	3,970,232		3,970,232
	Franklin Gadsden	361.83 1,428.19	422.97 1,627.82	400,802 1,542,506		400,802 1,542,506
21		968.81	1,192.94	1,130,418		1,130,418
	Glades	651.21	746.53	707,404		707,404
	Gulf	565.47	663.21	628,451		628,451
	Hamilton	470.53	539.40	511,130		511,130
	Hardee Hendry	1,521.86 2,270.48	1,730.53 2,605.30	1,639,833 2,468,756		1,639,833 2,468,756
	Hernando	7,483.31	8,713.08	8,256,427		8,256,427
	Highlands	3,610.84	4,104.71	3,889,582		3,889,582
	Hillsborough	67,818.27	79,040.33	74,897,826	1.0098	75,631,825
	Holmes	1,006.09	1,128.90	1,069,734		1,069,734
	Indian River Jackson	5,166.07 2,110.79	6,027.60 2,418.60	5,711,693 2,291,841		5,711,693 2,291,841
	Jefferson	233.39	265.73	251,803		251,803
	Lafayette	348.27	392.21	371,654		371,654
	Lake	14,809.82	16,844.74	15,961,907		15,961,907
36		30,477.93	35,954.84	34,070,447	1.0121	34,482,699
	Leon Levy	10,567.46 1,920.62	11,970.67 2,194.00	11,343,287 2,079,012		11,343,287 2,079,012
	Liberty	408.21	479.79	454,644		454,644
	Madison	720.47	814.22	771,547		771,547
41		15,853.92	18,097.96	17,149,446		17,149,446
	Marion Martin	13,856.42 5,043.40	16,203.44 5.915.59	15,354,218 5,605,554	1.0123	15,354,218 5,674,502
	Monroe	2,538.95	2,959.40	2,804,298	1.0463	2,934,137
	Nassau	3,998.76	4,550.45	4,311,961		4,311,961
46	- · · · · · · · · · · · · · · · · · · ·	10,118.85	11,584.27	10,977,138		10,977,138
47		1,909.10	2,165.30	2,051,817	4 0004	2,051,817
48	Orange Osceola	61,746.81 20,631.84	76,010.21 24,239.27	72,026,515 22,968,890	1.0094	72,703,564 22,968,890
	Palm Beach	55,979.48	64,853.43	61,454,462	1.0442	64,170,749
51	Pasco	25,553.86	30,020.40	28,447,031		28,447,031
	Pinellas	26,641.27	31,031.63	29,405,262	1.0030	29,493,478
	Polk	35,656.24	41,374.56	39,206,119		39,206,119
	Putnam St. Johns	3,310.32 15,397.45	3,753.46 17,659.55	3,556,741 16,734,013		3,556,741 16,734,013
56		13,417.09	15,257.80	14,458,139		14,458,139
	Santa Rosa	8,716.01	10,386.43	9,842,077		9,842,077
	Sarasota	13,164.70	15,461.97	14,651,608	1.0165	14,893,360
	Seminole	19,158.94	21,756.09	20,615,853		20,615,853
61	Sumter Suwannee	3,212.78 1,849.62	3,689.30 2,088.13	3,495,944 1,978,691		3,495,944 1,978,691
	Taylor	965.02	1,085.05	1,028,183		1,028,183
63	Union	834.76	939.75	890,498		890,498
	Volusia	18,180.72	21,030.65	19,928,434		19,928,434
	Wakulla Walton	1,846.72 3,700.50	2,106.84 4,181.06	1,996,421 3,961,931		1,996,421 3,961,931
	Washington	1,031.04	1,223.42	1,159,301		1,159,301
	FAMU Lab School	187.79	210.70	199,657		199,657
70	FAU Lab - PB	243.51	273.48	259,147	1.0442	270,601
	FAU Lab - St. Lucie	604.21	683.63	647,801	4 0000	647,801
	FSU Lab - Broward FSU Lab - Leon	446.58 456.76	503.84 513.36	477,434 486,455	1.0232	488,510 486,455
	UF Lab School	217.13	243.62	230,852		230,852
75	Virtual School	0.00	0.00	0		0
76	FSU Lab - Bay	0.00	0.00	0		0

859,247.35 1,002,738.91 950,185,364 960,403,109

Grades 4 to 8 Class Size Reduction Allocation

		2023-2024	2023-2024			Grades 4 to
		Grades 4-8	Grades 4-8	\$904.74	Comparable	Class Size
	District	Unweighted Public FTE	Weighted Public FTE	X WFTE	Wage Factor	Reduction Allocation
	District	-1-	-2-	-3-	-4-	-5-
1	Alachua	10,883.61	10,959.46	9,915,462		9,915,46
2	Baker	1,814.73	1,820.02	1,646,645		1,646,64
3	Bay	10,408.62	11,194.11	10,127,759		10,127,75
4	Bradford	1,096.37	1,108.28	1,002,705		1,002,70
5	Brevard	28,050.78	28,815.82	26,070,825		26,070,82
	Broward	94,747.07	97,756.62	88,444,324	1.0232	90,496,23
	Calhoun	754.51	770.97	697,527		697,5
	Charlotte	6,111.81	6,285.25	5,686,517		5,686,5
	Citrus	5,959.25	6,079.78	5,500,620		5,500,6
<u>0</u> 1	Clay Collier	14,598.63	14,934.31	13,511,668	1.0506	13,511,6
	Columbia	18,068.14 3,513.62	18,869.03 3,538.61	17,071,566 3,201,522	1.0506	17,935,3 3,201,5
	Dade	127,435.49	134,515.63	121,701,671	1.0183	123,928,8
	De Soto	1,799.14	1,813.17	1,640,447	1.0103	1,640,4
	Dixie	726.63	728.63	659,221		659,2
	Duval	48,194.07	49,573.55	44,851,174	1.0072	45,174,1
	Escambia	13,743.30	13,993.29	12,660,289		12,660,2
	Flagler	5,155.45	5,337.88	4,829,394		4,829,3
	Franklin	454.13	455.91	412,480		412,4
	Gadsden	1,534.14	1,583.03	1,432,231		1,432,2
	Gilchrist	1,047.69	1,079.75	976,893		976,8
	Glades	823.26	843.15	762,832		762,8
	Gulf	730.61	788.66	713,532		713,5
	Hamilton	599.96	610.38	552,235		552,2
_	Hardee	1,917.48	1,936.29	1,751,839		1,751,8
	Hendry	2,639.92	2,738.92	2,478,010		2,478,0
	Hernando	9,326.58	9,504.93	8,599,490		8,599,4
	Highlands	4,386.43	4,452.71	4,028,545	4 0000	4,028,5
	Hillsborough Holmes	83,688.66	86,858.26	78,584,142	1.0098	79,354,2
	Indian River	1,213.85 6,274.58	1,215.34 6,407.30	1,099,567 5,796,941		1,099,5 5,796,9
	Jackson	2,104.79	2,221.20	2,009,608		2,009,6
	Jefferson	255.14	261.21	236,327		236,3
	Lafayette	424.77	426.43	385,808		385,8
	Lake	18,334.10	18,742.67	16,957,243		16,957,2
	Lee	37,547.74	39,152.20	35,422,561	1.0121	35,851,1
	Leon	11,948.82	12,122.78	10,967,964		10,967,9
	Levy	2,073.73	2,090.51	1,891,368		1,891,3
9	Liberty	455.86	484.46	438,310		438,3
0	Madison	859.02	866.07	783,568		783,5
	Manatee	19,351.76	19,844.36	17,953,986		17,953,9
	Marion	16,693.22	17,540.18	15,869,302		15,869,3
	Martin	7,240.60	7,749.91	7,011,654	1.0123	7,097,8
	Monroe	3,299.29	3,430.81	3,103,991	1.0463	3,247,7
	Nassau	4,993.64	5,095.91	4,610,474		4,610,4
6	Okaloosa	12,471.98	12,863.54	11,638,159		11,638,1
	Okeechobee Orange	2,334.33	2,366.40 84.015.00	2,140,977 76,011,731	1.0094	2,140,9 76,726,2
	Orange Osceola	79,747.46 28,660.99	84,015.00 29,752.89	76,011,731 26,918,630	1.0094	76,726,2 26,918,6
	Palm Beach	71,629.84	74.470.73	67,376,648	1.0442	70,354,6
	Pasco	33,046.99	34,195.91	30,938,408	1.0442	30,938,4
	Pinellas	32,646.18	33,822.67	30,600,722	1.0030	30,692,5
	Polk	44,044.46	45,410.24	41,084,461		41,084,4
	Putnam	3,837.65	3,874.69	3,505,587		3,505,5
	St. Johns	19,830.66	20,219.73	18,293,599		18,293,5
	St. Lucie	17,808.75	18,116.22	16,390,469		16,390,4
7	Santa Rosa	11,636.15	12,032.52	10,886,302		10,886,3
	Sarasota	18,210.14	19,024.43	17,212,163	1.0165	17,496,1
	Seminole	24,416.29	24,801.72	22,439,108		22,439,1
	Sumter	3,768.62	3,820.19	3,456,279		3,456,2
	Suwannee	2,176.79	2,185.64	1,977,436		1,977,4
	Taylor	971.36	990.76	896,380		896,3
	Union	884.12	897.18	811,715		811,7
	Volusia	23,358.40	23,986.39	21,701,446		21,701,4
	Wakulla Walton	1,874.32	1,916.71	1,734,124 4,143,610		1,734,1
	Washington	4,520.85	4,579.89 1,216.00			4,143,6
	FAMU Lab School	1,156.02 230.76	1,216.00 230.76	1,100,164 208,778		1,100,1 208,7
	FAU Lab - PB	381.17	381.17	344,860	1.0442	206,7 360,1
	FAU Lab - St. Lucie	851.53	854.17	772,802	1.0442	772,8
	FSU Lab - Broward	253.04	254.08	229,876	1.0232	235,2
	FSU Lab - Leon	755.00	755.06	683,133	1.0202	683,1
	UF Lab School	525.92	525.92	475,821		475,8
	Virtual School	0.00	0.00	0		- ,
5	VII tual Ochool					



 $1,075,310.76 \qquad 1,114,158.35 \qquad 1,008,023,625$ 

Grades 9 to 12 Class Size Reduction Allocation

	2023-2024 Crados 0 12	2023-2024 Credes 0 12	\$906.93	Comparable	Grades 9 to 12 Class Size
	Grades 9-12 Unweighted	Grades 9-12 Weighted	<del>4900.93</del> Х	Comparable Wage	Reduction
District	Public FTE	Public FTE	WFTE	Factor	Allocation
	-1-	-2-	-3-	-4-	-5-
1 Alachua	8,041.30	8,060.22	7,310,055		7,310,055
2 Baker	1,396.00	1,415.93	1,284,149		1,284,149
3 Bay 4 Bradford	7,774.40 770.33	8,300.93 769.54	7,528,362 697,919		7,528,362 697,919
5 Brevard	21,981.83	22,455.16	20,365,258		20,365,258
6 Broward	78,533.02	80,441.62	72,954,918	1.0232	74,647,472
7 Calhoun	604.94	624.44	566,323		566,323
8 Charlotte 9 Citrus	5,700.55 4,511.89	5,844.69 4,653.77	5,300,725 4,220,644		5,300,725 4,220,644
10 Clay	11,904.92	12,140.47	11,010,556		11,010,556
11 Collier	15,135.47	15,674.45	14,215,629	1.0506	14,934,940
12 Columbia 13 Dade	2,511.28 102,640.75	2,566.82 106,960.86	2,327,926 97,006,013	1.0183	2,327,926 98,781,223
14 De Soto	1,250.75	1,256.43	1,139,494	1.0103	1,139,494
15 Dixie	551.56	567.43	514,619		514,619
16 Duval 17 Escambia	34,441.55	35,701.12	32,378,417	1.0072	32,611,542
18 Flagler	10,885.68 4,387.40	11,251.33 4,534.23	10,204,169 4,112,229		10,204,169 4,112,229
19 Franklin	276.49	277.73	251,882		251,882
20 Gadsden	1,167.80	1,203.28	1,091,291		1,091,291
21 Gilchrist 22 Glades	659.11 320.93	681.50 322.99	618,073 292,929		618,073   292,929
23 Gulf	554.88	574.82	521,322		521,322
24 Hamilton	443.67	446.39	404,844		404,844
25 Hardee 26 Hendry	1,369.76 2.467.69	1,384.62	1,255,753		1,255,753
27 Hernando	7,288.43	2,537.03 7,395.06	2,300,909 6,706,802		2,300,909 6,706,802
28 Highlands	3,629.11	3,673.73	3,331,816		3,331,816
29 Hillsborough	63,826.99	65,871.09	59,740,468	1.0098	60,325,925
30 Holmes 31 Indian River	872.51 5,243.49	873.89 5,369.05	792,557 4,869,353		792,557 4,869,353
32 Jackson	1,507.49	1,581.39	1,434,210		1,434,210
33 Jefferson	216.19	224.45	203,560		203,560
34 Lafayette 35 Lake	354.75	363.63	329,787		329,787
36 Lee	14,247.22 31,257.75	14,597.54 32,290.04	13,238,947 29,284,806	1.0121	13,238,947 29,639,152
37 Leon	9,129.14	9,314.19	8,447,318		8,447,318
38 Levy	1,434.78	1,451.67	1,316,563		1,316,563
39 Liberty 40 Madison	341.36 706.88	345.36 724.30	313,217 656,889		313,217 656,889
41 Manatee	15,088.65	15,359.76	13,930,227		13,930,227
42 Marion	13,257.53	13,897.38	12,603,951		12,603,951
43 Martin 44 Monroe	5,835.33 2,522.68	6,077.34 2,578.70	5,511,722 2,338,700	1.0123 1.0463	5,579,516 2,446,982
45 Nassau	3,903.44	4,006.04	3,633,198	1.0403	3,633,198
46 Okaloosa	8,890.40	9,185.23	8,330,361		8,330,361
47 Okeechobee	1,790.90	1,798.52	1,631,132	1 0004	1,631,132
48 Orange 49 Osceola	61,924.40 23,066.33	64,009.57 23,583.84	58,052,199 21,388,892	1.0094	58,597,890 21,388,892
50 Palm Beach	58,922.28	60,783.30	55,126,198	1.0442	57,562,776
51 Pasco	24,181.87	24,884.07	22,568,110	4 0000	22,568,110
52 Pinellas 53 Polk	28,055.80 35,378.05	29,015.09 36,661.84	26,314,656 33,249,723	1.0030	26,393,600   33,249,723
54 Putnam	2,652.85	2,664.62	2,416,624		2,416,624
55 St. Johns	15,460.56	15,733.62	14,269,292		14,269,292
56 St. Lucie	14,993.38	15,074.75	13,671,743		13,671,743
57 Santa Rosa 58 Sarasota	9,311.74 14,111.17	9,554.78 14,648.67	8,665,517 13,285,318	1.0165	8,665,517 13,504,526
59 Seminole	20,441.35	20,623.74	18,704,289	1.0100	18,704,289
60 Sumter	2,741.87	2,775.07	2,516,794		2,516,794
61 Suwannee 62 Taylor	1,641.73 627.26	1,639.95 639.64	1,487,320 580,109		1,487,320 580,109
63 Union	551.75	553.65	502,122		502,122
64 Volusia	19,245.91	19,815.45	17,971,226		17,971,226
65 Wakulla	1,422.43	1,436.98	1,303,240		1,303,240
66 Walton 67 Washington	3,243.13 871.01	3,242.22 901.03	2,940,467 817,171		2,940,467 817,171
69 FAMU Lab School	187.70	185.75	168,462		168,462
70 FAU Lab - PB	693.05	684.73	621,002	1.0442	648,450
71 FAU Lab - St. Lucie 72 FSU Lab - Broward	0.00 0.00	0.00 0.00	0	1.0232	0
73 FSU Lab - Leon	679.90	677.35	614,309	1.0202	614,309
74 UF Lab School	508.90	504.91	457,918		457,918
75 Virtual School	0.00	0.00	112.006		112 006
76 FSU Lab - Bay	125.00	123.50	112,006		112,006



	District	2023-2024 Unweighted	2023-2024 Scholarship	Potential .748 Mill Discretionary	Value of Discretionary Mills	State-Funded Discretionary Local Effort	State-Funded Discretionary	State-Funded Discretionary
	District	FTE -1-	FTE -2-	Local Effort -3-	per FTE -4-	Supplement -5-	Base -6-	Supplement -7-
1	Alachua	31,792.99	3,625.34	17,502,255	550.51	1,995,786	3,977,321	5,973,10
	Baker	4,918.19	120.34	1,203,653	244.73	29,451	168,342	197,79
	Bay Bradford	27,874.00 3,210.85	718.54 363.85	20,720,103 1,094,568	743.35 340.90	534,127 124,036	851,976 483,406	1,386,10 607,44
	Brevard	79,849.34	6,324.48	51,575,644	645.91	4,085,045	7,349,424	11,434,46
6	Broward	272,606.05	24,534.77	214,766,689	787.83	19,329,228	28,568,613	47,897,84
	Calhoun	2,083.69	22.46	422,013	202.53	4,549	29,938	34,48
	Charlotte Citrus	17,691.86 16,435.91	932.51 905.40	22,342,315 11,290,160	1,262.86 686.92	1,177,630	1,030,343	2,207,97 1,652,41
	Clay	40,309.21	1,642.14	13,172,349	326.78	621,937 536,619	1,030,478 1,854,457	2,391,07
	Collier	50,791.17	2,799.31	113,094,602	2,226.66	6,233,112	2,921,920	9,155,03
	Columbia	10,279.19	820.11	3,123,561	303.87	249,207	877,894	1,127,10
	Dade	367,941.88	36,438.08	342,227,772	930.11	33,891,423	38,312,893	72,204,31
	De Soto Dixie	4,689.78 2,143.21	202.66 138.79	1,997,690 583,063	425.97 272.05	86,327 37,758	249,857 199,802	336,18 237,56
	Duval	141,955.53	14,510.10	81,282,962	572.59	8,308,338	16,787,527	25,095,86
17	Escambia	40,046.49	3,016.29	22,611,038	564.62	1,703,058	3,606,206	5,309,26
	Flagler	14,201.17	838.62	12,427,871	875.13	733,902	855,362	1,589,26
	Franklin	1,150.18	35.28	2,595,340	2,256.46	79,608	33,732	113,34
	Gadsden Gilchrist	4,641.47 2,969.65	491.69 258.45	1,600,032 925,155	344.73 311.54	169,500 80,518	697,974 354,932	867,47 435,45
	Glades	1,853.61	52.01	836,038	451.03	23,458	78,957	102,4
23	Gulf	1,956.86	97.76	2,627,985	1,342.96	131,288	145,408	276,69
	Hamilton	1,697.12	132.15	910,430	536.46	70,893	205,650	276,5
	Hardee	4,918.53	76.95	1,724,851	350.68	26,985	95,611	122,59
	Hendry Hernando	13,802.85 26,359.83	435.96 1,934.29	3,102,881 12,757,441	224.80 483.97	98,004 936,138	293,414 2,135,088.00	391,4 <sup>2</sup> 3,071,22
	Highlands	12,613.03	866.13	6,041,908	479.02	414,894	1,046,435.00	1,461,3
	Hillsborough	234,990.31	15,194.06	128,168,384	545.42	8,287,144	17,370,212.00	25,657,3
	Holmes	3,250.92	84.71	487,745	150.03	12,709	102,034.00	114,7
	Indian River	17,843.37	1,118.86	21,572,285	1,208.98	1,352,679	1,199,116.00	2,551,79
	Jackson Jefferson	5,994.62 971.88	191.80 261.19	1,663,162 730,885	277.44 752.03	53,213 196,423	264,349.00 473,243.00	317,56 669,66
	Lafayette	1,163.58	35.26	282,004	242.36	8,546	54,229.00	62,7
	Lake	51,531.14	3,791.52	27,663,141	536.82	2,035,364	4,194,329.00	6,229,69
	Lee	104,369.14	4,562.00	99,092,117	949.44	4,331,345	5,551,099.00	9,882,4
	Leon	34,125.68	2,301.25	18,666,857	547.00	1,258,784	2,635,272.00	3,894,05
	Levy Liberty	5,817.30 1,307.58	355.54 24.06	2,352,161 299,116	404.34 228.76	143,759 5,504	479,789.00 38,878.00	623,54 44,38
	Madison	2,392.40	82.86	821,950	343.57	28,468	109,505.00	137,9
	Manatee	53,766.67	3,274.77	49,473,130	920.14	3,013,247	3,656,323.00	6,669,57
	Marion	48,130.89	3,557.69	24,649,308	512.13	1,822,000	3,787,872.00	5,609,8
	Martin Monroe	19,192.65 8,736.71	1,057.94 359.79	24,451,327 34,476,511	1,273.99 3,946.17	1,347,805 1,419,793	1,243,989.00 369,429.00	2,591,79 1,789,2
	Nassau	13,801.72	838.98	11,439,568	828.85	695,389	1,072,027.00	1,767,4
	Okaloosa	34,016.69	1,922.41	21,713,631	638.32	1,227,113	2,400,735.00	3,627,8
	Okeechobee	6,451.51	296.89	3,279,462	508.32	150,915	374,960.00	525,8
	Orange Osceola	220,465.36	14,982.44	162,408,570	736.66	11,036,964	17,848,062.00	28,885,0
	Palm Beach	79,465.82 203,305.63	5,776.87 16,397.90	35,701,976 234,388,431	449.27 1,152.89	2,595,374 18,904,975	6,621,952.00 18,026,665.00	9,217,3 36,931,6
	Pasco	88,536.21	4,270.35	38,397,145	433.69	1,852,008	4,789,125.00	6,641,13
52	Pinellas	99,690.85	11,669.33	100,926,556	1,012.40	11,814,030	13,683,290.00	25,497,3
	Polk	123,541.52	7,917.98	49,169,960	398.00	3,151,356	9,021,951.00	12,173,3
	Putnam St. Johns	10,314.21 54,145.47	440.32 2,618.69	4,929,765 37,638,535	477.96 695.14	210,455 1,820,356	611,119.00 3,256,314.00	821,5 5,076,6
	St. Lucie	49,935.59	3,433.43	29,592,273	592.61	2,034,685	4,131,721.00	6,166,4
	Santa Rosa	32,137.39	1,601.77	13,292,338	413.61	662,508	1,741,446.00	2,403,9
	Sarasota	48,971.85	3,371.82	77,777,254	1,588.20	5,355,125	3,477,077.00	8,832,2
	Seminole	71,360.08	6,759.17	39,056,462	547.32	3,699,429	8,078,956.00	11,778,3
	Sumter Suwannee	10,068.08 6,189.05	299.14 424.02	16,819,850 1,966,288	1,670.61 317.70	499,746 134,711	292,904.00 531,235.00	792,6 665,9
	Taylor	2,776.96	207.69	1,500,097	540.19	112,192	296,113.00	408,3
	Union	2,351.48	80.85	293,480	124.81	10,091	121,289.00	131,3
	Volusia	66,219.17	4,674.83	45,874,283	692.76	3,238,535	4,810,821.00	8,049,3
	Wakulla	5,331.42	186.10	1,699,721	318.81	59,331	239,757.00	299,0
	Walton Washington	12,198.75 3,237.62	655.30 148.74	31,551,030 996,564	2,586.42 307.81	1,694,881 45,784	625,392.00 230,542.00	2,320,2 276,3
	FAMU Lab School	606.25	0.00	990,304	0.00	45,764	0.00	210,0
70	FAU Lab - PB	1,317.73	0.00	0	0.00	0	0.00	
	FAU Lab - St. Lucie	1,455.74	0.00	0	0.00	0	0.00	
	FSU Lab - Broward	699.62	0.00	0	0.00	0	0.00	
	FSU Lab - Leon UF Lab School	1,892.26 1,254.95	0.00 0.00	0	0.00 0.00	0	0.00 0.00	
+	Virtual School	48,849.99	0.00	0	0.00	0	0.00	
	,	. 5,5 . 5.55						
75	FSU Lab - Bay	125	0.00	0	0.00	0	0.00	
75	FSU Lab - Bay TOTAL	3,095,082.45	0.00 227,562.78	2,359,823,691	762.44	178,035,555	258,056,081	436,091,6

# Adult ESOL Program Information Paper

Division of Career and Adult Education Florida Department of Education July 2021



# Florida Department of Education Adult English for Speakers of Other Languages Program Information Paper

This document provides information on the Florida Department of Education (FDOE) Adult English for Speakers of Other Languages (ESOL) Program. It is written for administrators, counselors, instructors and other stakeholders.

### 1.0 STATE AND FEDERAL DEFINITIONS

### 1.1 Adult ESOL Program/Adult English Language Acquisition Program

<u>State definition</u>: Noncredit English literacy courses designed to improve the employability of the state's workforce through acquisition of communication skills and cultural competencies that enhance ability to read, write, speak, and listen in English. ESOL means English for Speakers of Other Languages. ESL means English as a Second Language. The two terms are interchangeable.

<u>Federal definition</u>: The Adult English language acquisition program of instruction is designed to help eligible individuals who are English language learners achieve competence in reading, writing, speaking, and comprehension of the English language; and that leads to attainment of the secondary school diploma or its recognized equivalent; and transition to postsecondary education and training; or employment. The purpose of the Adult English language acquisition program is to assist immigrants and other individuals who are English language learners in: improving their reading, writing, speaking, listening, and comprehension skills in English, mathematics and an understanding of the American system of government, individual freedom, and the responsibilities of citizenship. Adult Education and Family Literacy Act (AEFLA), Title II, Section 202, Workforce Investment and Opportunity Act (WIOA), 2014.

### 1.2 Adult ESOL Student/Adult English Language Learner

State definition: Adult ESOL eligible students are those who:

- Are age 16 years or older and not enrolled in the K12 system
- Have earned a high school diploma or its equivalent but require specific improvement in order
  to obtain or maintain employment or benefit from certificate career and technical education
  programs, pursue a postsecondary degree, or develop competence in speaking, reading, and
  writing the English language

<u>Federal definition</u>: An English language learner is defined as an adult or out of school youth who:

- Has limited ability in speaking, reading, writing, or understanding of the English language and whose native language is a language other than English, or
- Lives in a family or community environment where a language other than English is the dominant language

### 2.0 ADULT ESOL PROGRAM KEY COMPONENTS

### 2.1 Recruitment



A high-quality Adult ESOL program will have effective procedures for collecting data on community demographics that identify populations to be served. The USDOE <u>Literacy Information and Communication System</u> (LINCS) provides research-based resources on recruitment.

### 2.2 Registration and Orientation

When registering students, programs are required to collect and maintain the following information for each student, per State Board Rule 6A-10.0381 (Registration of Adult Education Students and Enrollment Reporting for Adult General Education Students).

- Name, permanent address, date of birth, social security number, if available, and Florida student number identifier
- Whether the student has a high school diploma or equivalent certificate
- The program of enrollment
- The course title and course number

High-quality Adult ESOL programs will have an orientation process that provides learners with information about the program, goal setting, the purpose and role of assessment, transition to college and/or career, and benefits of regular attendance. Programs with an effective orientation processes have been shown to achieve higher learner persistence and retention rates. The USDOE Literacy Information and Communication System (LINCS) provides research-based resources on orientation processes.

### 2.3 Tuition

Programs are required to charge a block tuition fee in accordance with Florida Statute 1009.22. The block tuition rate is \$45.00 bi-annually or \$30.00 per semester, not to exceed \$90.00 per year. Programs are allowed to waive up to 8% of the total block tuition fees they expect to collect. Community-based-organizations that do not receive adult education funds from the state legislature are not required to charge tuition.

### 2.4 Assessment

Programs are required to assess all students in the Adult ESOL program with a state-approved assessment, per State Board Rule 6A-6.014 (General Requirements for Adult General Education Program). The results of the pre-test are used to place students in an educational functioning level (EFL), which is then reported to FDOE. The results of the post-test are used to measure progress. If the post-test scores show the student completed an EFL, the program will report the student has earned a Literacy Completion Point (LCP). Information on the steps to administer tests and provide test results to instructors is provided by the test publisher. Information on FDOE policies can be found in the following:

- FDOE Adult Education Assessment Technical Assistance Paper
- FDOE Policies on CASAS Assessments

### 2.5 Curriculum Framework

FDOE provides a curriculum framework for each course in the Adult ESOL program on the <u>FDOE Adult Education webpage</u>. Note that FDOE does not provide a comprehensive curriculum specifically tailored to the Adult ESOL program of each local agency in the state. FDOE provides the framework that local agencies may use to build a curriculum that will build the English language skills of their students for personal, educational and workforce training needs. The framework provides the essential standards and competencies that instructors may use to build a high-quality, comprehensive curriculum that includes the following elements, at a minimum:



- Personal, educational and workforce training goals students wish to achieve or are expected to have achieved upon completion of the course
- A description of the scope, sequence and content to be covered in the course
- A description of learning strategies and activities to be used when teaching the course
- A description of the vocabulary and grammar students will learn
- A list of textbooks, workbooks, online learning platforms, etc., to be used in the course

### 2.6 Instruction

High-quality programs will provide students with instruction that adheres to the principles of adult learning and language acquisition. The following six principles were developed by the International TESOL Organization as a guide for Adult ESOL instructors in adult education programs:

### The 6 Principles of Teaching Adult English Language Learners

- 1. Know Your Learners
- 2. Create Conditions for Language Learning
- 3. Design High-Quality Lessons for Language Development
- 4. Adapt Lesson Delivery as Needed
- 5. Monitor and Assess Student Language Development
- 6. Engage and Collaborate within a Community of Practice

### 2.7 Instructor Qualification Requirements

High-quality programs will recruit and hire qualified instructors with training in the theory and methodology of teaching Adult ESOL. As per Florida Statute 1012.39 (1)(b), each school district shall establish the minimal qualifications for part-time and full-time teachers in adult education programs.

### 2.8 Reporting EFLs and LCPs

Programs are required to report the initial EFL of students based on their pre-test score. After receiving instruction, students are post-tested. If the student's post-test scores indicate the student completed one or more EFLs, the program is required to report one LCP for each EFL completed.

Starting July 1, 2020, students enrolled in the Adult ESOL course and in the ELCATE course are placed into two initial EFLs, one in the skill area of reading and one in the skill area of listening. Students can earn LCPS in both skill areas. Programs are required to report all LCPs earned by students in both skill areas to FDOE. If the student's post-test scores drop to a lower EFL in one or both skill areas, the program will not report that the student is in a lower EFL in that skill area. Once a student has reached an EFL in a skill area, the student cannot be reported into a lower skill area.

### 2.9 Transition

High quality programs will guide students in mapping their individualized career pathway from their first day in the Adult ESOL program. Successful transition starts with orientation and continues as students take each step forward in the program and on the career pathway of their choice.

### 3.0 ADULT ESOL COURSES

The Adult ESOL Program has four courses, all of which are non-degreed and non-credit-earning. The preface notes of the curriculum framework provide complete guidance on each course.

 Adult ESOL: This course provides English language instruction on career and life-skills topics, including math and civics instruction across six EFLs. The Adult ESOL course has the largest enrollment of all adult education course. It is supported with state and federal funds and is reported to the National Reporting System.



- 2. English Literacy for Career and Technical Education (ELCATE): This course provides English language instruction on career and life-skills topics, including math and civics instruction at the top two EFLs (5 and 6) of the Adult ESOL course. The course is used by FDOE MIS to indicate that the student is enrolled in an Integrated Education and Training (IET) program, specifically Integrated English Literacy and Civics Education (IELCE) program, Section 243 of the Workforce Investment and Opportunity Act of 2014. Students enrolled in this course must be enrolled concurrently in a career and technical education program of study. The ELCATE course is supported with state and federal funds and is reported to the National Reporting System.
- 3. <u>Adult ESOL College and Career Readiness</u>: This course is designed for students who have exited the Adult ESOL course and wish to enroll in a post-secondary academic or career and technical education program without needing to take remediation courses. The course is supported with state funds and is not reported to the National Reporting System.
- 4. <u>Literacy Skills for Adult ESOL</u>: This course is designed for students who demonstrate emerging literacy skills in their native language through a state-developed Native Language Screening. It provides students with literacy skills in English (reading, writing, speaking, listening) and to enroll in the Adult ESOL course. This course is not reported to the National Reporting System.

### 3.1 Adult ESOL Course

School District Course Code Number 9900040
College Classification of Instructional Programs Number 1532.010300

### 3.1.1 Adult ESOL Course Description

The Adult ESOL course provides instruction to English language learners to achieve competence in reading, writing, speaking, and comprehension of the English language. The course is designed to lead to attainment of a secondary school diploma or its recognized equivalent and transition to postsecondary education and training or employment, mathematics and an understanding of the American system of government, individual freedom and the responsibilities of citizenship. The course has six levels that align to the NRS EFLs. Programs may combine students from one or more levels for instruction.

- NRS ESL Level 1 Beginning Literacy (also known as Foundations level in Florida)
- NRS ESL Level 2 Low Beginning
- NRS ESL Level 3 High Beginning
- NRS ESL Level 4 Low Intermediate
- NRS ESL Level 5 High Intermediate
- NRS ESL Level 6 Advanced

### 3.1.2 Adult ESOL Course Pre-test for Placement into Initial EFL

Programs are required to pre-test all students enrolling in the Adult ESOL course on a state-approved assessment in reading and listening within the first 12 contact hours of instructional activity. The following assessments are approved for use in the Adult ESOL course: BEST Plus and BEST Literacy, CASAS and TABE CLAS-E. The pre-test score determines the student's initial EFL, which serves as a baseline for measuring learning gains. Students enrolled in Adult ESOL are placed into two initial EFLS, one for reading and one for listening.

### 3.1.3 Adult ESOL Course Curriculum Framework

Digital Technology and Career Planning Standards are provided in the preface to the curriculum framework, while the main section provides the following three core components:



- Adult Basic Education (ABE) Standards
- English Language Proficiency (ELP) Standards
- Life and Work Skills Competencies

### 3.1.4 Adult ESOL Course Post-test for EFL Completion and LCP Reporting

FDOE requires that students enrolled in the Adult ESOL course participate in a publisher-recommended number of hours of instruction between pre-test and post-test.

• CASAS: 70-100 hours of instruction

BEST Literacy and BEST Plus: 60 hours of instruction

• TABE CLAS-E: 60 hours of instruction

Upon completion of the recommended number of instructional hours, Adult ESOL students are post-tested in two skill areas, reading and listening. If the student completes an EFL in reading and/or listening, the program reports the student has earned an LPC in the reading and/or listening skill area(s). At times, students may complete more than one EFL in reading and/or listening. When this occurs, the program will report all LCPs earned. If the student's post-test scores drop to a lower EFL in one or both skill areas, the program will not report that the student is in a lower EFL in that skill area.

### 3.1.5 Adult ESOL Course Completion

Students complete the Adult ESOL course when they obtain a post-test score that indicates they have completed the highest EFL for the course, NRS EFL 6 (Advanced). It is recommended that students complete NRS EFL 6 in both skill areas, reading and listening.

3.2 English Literacy for Career and Technical Education (ELCATE) Course School District Course Code Number #9900050
College Classification of Instructional Programs Number 1532.010301

### 3.2.1 ELCATE Course Description

The ELCATE course provides instruction to English language learners to achieve competence in reading, writing, speaking, and comprehension of the English language that leads to attainment of the secondary school diploma or its recognized equivalent and transition to postsecondary education and training or employment, mathematics; an understanding of the American system of government, individual freedom, and the responsibilities of citizenship.

The purpose of the ELCATE course is to indicate to the FDOE MIS that the student is enrolled in the IELCE program (Section 243 of WIOA). Students are required to be enrolled concurrently in ELCATE and a Career and Technical Education (CTE) program. The IELCE program requires that instruction start and end at the same time and that the instructors collaborate to develop a single set of learning objectives for the students. Programs may select from different models of instruction as described in the FDOE guide for IELCE implementation.

The course has two levels:

- NRS ESL Level 5 High Intermediate
- NRS ESL Level 6 Advanced



Students who wish to participate in the IELCE program must test into NRS EFLs 5 or 6 in the Adult ESOL program. Students may come from EFLs 5 or 6 of the Adult ESOL course, but they must first be withdrawn from the Adult ESOL course prior to enrolling in the ELCATE course.

### 3.2.2 ELCATE Course Pre-test for Placement into Initial EFL

Programs are required to pre-test all students enrolling in the ELCATE course on a state-approved assessment in reading and listening within the first 12 contact hours of instructional activity. The following assessments are approved for use in the ELCATE course: BEST Plus and BEST Literacy, CASAS and TABE CLAS-E. The pre-test score determines the student's initial EFL, which serves as a baseline for measuring learning gains. Students enrolled in the ELCATE course are placed into two initial EFLS, one for reading and one for listening. ELCATE students must test into NRS ESL Level 5 or 6.

### 3.2.3 ELCATE Course Curriculum Framework

The ELCATE course curriculum framework is the same as levels 5 and 6 of the Adult ESOL course curriculum framework. The ELCATE framework also consists of three core components, however the component of Life and Work Skills Competencies is substituted for the component of Civics Standards to meet the requirements of the IELCE program. As with the Adult ESOL course, Digital technology and Career Planning standards are also included.

- Adult Basic Education (ABE) Standards
- English Language Proficiency (ELP) Standards
- Civics Standards

### 3.2.4 ELCATE Course Post-test for EFL Completion and LCP Reporting

FDOE requires that students enrolled in the ELCATE course participate in a publisher-recommended number of hours of instruction between pre-test and post-test.

- CASAS: 70-100 hours of instruction
- BEST Literacy and BEST Plus: 60 hours of instruction
- TABE CLAS-E: 60 hours of instruction

Upon completion of the recommended number of instructional hours, ELCATE students are post-tested in two skill areas, reading and listening. If the student completes an EFL in reading and/or listening, the program reports the student has earned an LPC in the reading and/or listening skill area(s). At times, students may complete more than one EFL in reading and/or listening. When this occurs, the program reports all LCPs earned. If the student's post-test scores drop to a lower EFL in one or both skill areas, the program will not report that the student is in a lower EFL in that skill area.

### 3.2.5 ELCATE Course Completion

Students complete the ELCATE course when they obtain a post-test score that indicates they have completed the highest EFL for the course, NRS EFL 6 (Advanced). It is recommended that students complete NRS EFL 6 in both skill areas, reading and listening.

3.3 Adult ESOL College and Career Readiness Course
School district Course Code Number 9900051
College Classification of Instructional Programs Number 1532.010302

### 3.3.1 Adult ESOL CCR Course Description

The Adult ESOL College and Career Readiness (CCR) course is designed for students who have exited the Adult ESOL course and wish to enroll in a post-secondary academic or career and technical education



program without needing to take remediation courses. Students enrolling in the Adult ESOL CCR course may have secondary or postsecondary degree(s) and/or credential(s) from another country or the U.S. The course is supported with state funds and is not reported to the National Reporting System.

### 3.3.2 Adult ESOL CCR Course Pre-test for Placement

Students wishing to enroll in the Adult ESOL CCR course must first take a state-approved assessment (CASAS, BEST Plus, or TABE CLAS-E). Students who have not taken the Adult ESOL course but score above EFL 6 (Advanced) of the Adult ESOL course in reading and listening may also enroll in the Adult ESOL CCR course.

### 3.3.3 Adult ESOL CCR Course Curriculum Framework

Digital Technology and Career Planning Standards are provided in the preface to the curriculum framework, while the main section provides the following three core components:

- Academic Standards
- English Language Proficiency Standards
- Life and Work Skills Competencies

The curriculum framework provides local programs with a broad outline of the knowledge and skills that students should learn. The framework is intended to serve as a guide for the instructor. Curriculum coaches and instructors may develop a local scope and sequence that includes additional standards and competencies requested or needed by students.

### 3.3.4 Adult ESOL CCR Course Progression

Programs are not required to use state-approved standardized tests for documenting and reporting progression and learning gains of students in the Adult ESOL CCR course. However, standardized tests are an integral part of a formative and summative assessment system that monitors learning and provides ongoing feedback throughout the course. It is not required that teachers cover all of the standards or to cover them in order. Teachers will determine which standards are necessary to cover in order to fill in skills gaps that their students are shown to have based on testing. Teachers may use professional judgement in covering topics that are relevant to the academic goals of their students.

### 3.3.5 Adult ESOL CCR Course Completion and LCP Reporting

The FDOE uses the Adult ESOL CCR Course Progress Report for official state reporting purposes. The Progress Report consists of a list of the course standards. When the student has satisfactorily completed the necessary course standards as determined by the instructor and based on testing, the instructor and program director will sign off on the Progress Report. Once the Progress Report is completed, the program will report to the FDOE that one LCP has been achieved by the student. The program will retain the completed Progress Report (or an electronic copy) in the student's permanent record for review by the FDOE Division of Career and Adult Education grants monitoring team.

# 3.4 Literacy Skills for Adult ESOL Course School District Course Code Number #9900300 College Classification of Instructional Programs Number 1532.010303

### 3.4.1 Literacy Skills Course Description

Digital Technology and Career Planning Standards are provided in the preface to the curriculum framework. The Literacy Skills for Adult ESOL course develops literacy skills in English language learners who are pre-literate, non-literate, or semi-literate in their first language.



### Types of First Language Literacy and Effects on Second Language Literacy Learning<sup>1</sup>

First Literacy	Explanation	Special Considerations
Pre-literate	Learner's first language has no written	Learners need exposure to the purposes
Pre-interate	form. For example, indigenous languages.	and uses of literacy.
Non-literate	Learners have had little or no access to	Learners may feel stigmatized.
Non-literate	literacy instruction in their first language.	
Com: litorata	Learners have had limited access to	Learners may have had past negative
Semi-literate	literacy instruction in their first language.	experiences with literacy learning.

### **Levels in the Literacy Skills for Adult ESOL Course**

- A Recognizes that pictures represent real life objects and that shapes represent letters; struggles to draw pictures and copy letters
- **B** Is able to copy letters; struggles to write letters from dictation
- **C** Is able to read words representing classroom objects; struggles to write words from dictation

### 3.4.2 Placement into the Literacy Skills for Adult ESOL Course

To begin the process of identifying students for placement into the Adult ESOL Literacy Skills course, programs will first administer the CASAS Oral Screening. If a student scores five or less on the Oral Screening, the program will next administer the five practice items from form 27. Students who do not have difficulty with the five practice items on form 27 may be given the complete form 27 test. If they do not have difficulty, they are not candidates for the Literacy Skills course.

Students who have difficulty with the five practice items from form 27 are considered candidates for the Literacy Skills course. To further gauge the student's literacy skills in their native language, the program will administer the <u>FDOE Native Language Screening</u> (NLS). The FDOE provides the NLS as a tool for placing the student into the course. The NLS screening tool has 29 languages and an administration manual that includes a rubric for scoring and placing the student into one of three levels of the course, A, B, and C. The program will select the NLS assessment in the language of the student from the list of 29 languages and administer the NLS to the student following the directions in the NLS manual. If the language of the student is not on the list, contact the FDOE Office of Adult Education to obtain a translation of the NLS in the student's language.

### 3.4.3 Literacy Skills Course Curriculum Framework

The curriculum framework consists of two components:

- Literacy Standards: Reading, Writing, Speaking, and Listening
- Life and Work Skills Competencies in five areas:
  - Communication
  - Employment
  - Consumer Education and Community
  - Health and Nutrition
  - Transportation

Research studies have been conducted with Florida adult education programs that offer the Adult ESOL for Literacy Skills course. The authors of these studies consisted of university

<sup>&</sup>lt;sup>1</sup> From *Reading and Adult English Language Learners: A Review of the Research.* Burt, Miriam, Joy Kreeft Peyton, and R. Adams. 2003. Center for Applied Linguistics, Washington, D.C.



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professors, adult education directors and instructors with experience working with preliterate, non-literate and semi-literate adult English language learners. These studies recommended the following guidance for instructors of the Literacy Skills course:

- Use environmental print materials for instruction to develop critical pre-literacy skills.
   Examples of environmental print materials are signs, symbols, labels and logos commonly found in the everyday lives of students.
- Provide instructional materials in the classroom that is matched to the pre-literacy skill level of students. Examples are sensory-based (visual, audio, tactile) realia found in the everyday lives of students.
- Design and use specialized text for practicing reading skills. Examples of specialized
  text include text that has ample white space around the letters and words and fonts
  with similar appearance to hand-printed letters. Given that learners with emergent
  reading skills have been found to focus on the center of pages of print instead of in
  the upper left corner, start by showing individual letters in the center of the page and
  progressively move the letters to the upper left corner.
- Begin writing instruction by using the letters of the student's own name to tie
  learning to relevance for the student. Or, start to practice writing by using only the
  alphabet letters that have all straight-lines, then gradually move to teaching letters
  that have curves and circles. Be aware that many pre-literate and non-literate adult
  language learners did not have ample opportunities to develop fine-motor skills that
  come with drawing figures and shapes in their early childhood.
- To develop spelling and recognizing commonly-used vocabulary words, focus on cognates and words with strong sound-symbol correspondence.

Resources specifically designed for students enrolled in the Literacy Skills for Adult ESOL Course can be found through the following two websites.

- Palm Beach County Adult and Community Education provides a literacy resource webpage, <u>iTeach@ACE of PBC</u>, which supports instructors of English language learners with emerging literacy skills.
- The Literacy Education and Second Language Learning for Adults (<u>LESLLA</u>) is a
  worldwide, multidisciplinary organization of researchers, practitioners and instructors
  that aims to support adults who are learning to read and write for the first time in
  their lives in a new language and promotes the sharing of research findings, effective
  pedagogical practices, and information on policy.

### 3.4.4 Literacy Skills for Adult ESOL Course Progression

Standardized tests written in the English language are designed for Adult ESOL students who are able to read and write in their native language are not appropriate for use with students who are enrolled in the Literacy Skills for Adult ESOL course. Given the fact that students enrolled in the Literacy Skills course have been determined to be pre-literate, non-literate, or semi-literate in their native language, programs should not pre-test or post-test these students with state-approved standardized tests. However, this does not imply that these students should not be tested. Formative and summative assessments that are designed by instructors or other practitioners with experience in designing tests for this population are essential to monitor student learning to provide ongoing feedback and evaluate student learning. Teachers will use the Literacy Skills for Adult ESOL Course Progress Report to document the progress of their students through the course. The Progress Report consists of standards and competencies from the curriculum framework. When the student has satisfactorily completed the



course standards, the instructor and program director sign off on the Progress Report.

### 3.4.5 Literacy Skills Course Completion and LCP Reporting

Students complete the Literacy Skills for Adult ESOL course when they have satisfactorily completed the course standards listed in the Progress Report. Upon completion of the standards, the instructor and program director will complete and sign off on the Progress Report. The program reports one LCP for each level (A, B, or C) completed by the student and retains the completed Progress Report (or an electronic copy) in the student's permanent record for review by the FDOE monitoring team.

Upon completion of the Literacy Skills for Adult ESOL course, students should be prepared to transition to the Adult ESOL course. To enroll the students who complete the Literacy Skills for Adult ESOL course, the program will use the procedures for pre-testing and placement into the Adult ESOL course.

### 4.0 PROFESSIONAL DEVELOPMENT AGENCIES FUNDED BY FDOE

The following three state leadership agencies are funded by the FDOE through federal grants to provide professional development opportunities to adult education practitioners.

- Adult and Community Educators of Florida, Inc. (ACE)
  - Provides professional development through annual conferences and follow-up trainings on topics of statewide significance. Disseminates information on legislation.
- Florida Institute for Professional Development of Adult Educators (IPDAE)
  - o Provides online professional development opportunities for adult education instructors.
- Florida Literacy Coalition (FLC)
  - Promotes, supports and advocates for the effective delivery of quality adult and family literacy services in Florida. Special emphasis is placed on assisting community-based literacy organizations with their training and program development needs.

### 5.0 STATE BOARD RULES, STATUTES, FEDERAL LAWS

- Florida Statutes:
  - o 1004.02 (Definitions of Adult General Education)
  - 1004.93 (Adult General Education)
  - o 1012.39 (Instructor Certification)
- Florida Administrative Code:
  - o <u>6A-6.014</u> ( General Requirements for Adult General Education Program)
  - 6A-10.0381 (Registration of Adult Education Students and Enrollment Reporting for Adult General Education Students)
- US Department of Education Office of Career, Technical and Adult Education (OCTAE)
  - WIOA Workforce Investment and Opportunity Act, Adult Education and Family Literacy Act (AEFLA), Title II, Section 202, 2014

For questions related to this paper, please contact Phil Anderson, Adult ESOL Program Specialist, at Philip.Anderson@fldoe.org or 850-245-9450.



CS/HB 225 (Ch. 23-97)

Interscholastic Athletics

By:

Representatives Hawkins and Canady

**Effective Date:** 

July 1, 2023

Approved by Governor:

May 17, 2023

What Does the Bill Do? This new law enacts several significant changes to the Florida High School Athletics Association (FHSAA). First, it includes the same provisions enacted in SB 190 (above), in which charter and virtual school students are authorized to enter into agreements with private schools for extracurricular activities. Unlike SB 190, this law also authorizes public school students who attend a school that does not offer an activity to participate in that activity at any other public school in the district or reach an agreement with a private school to play there. These public school students must meet the same requirements for the other students who participate at that school and must first register with the school their intent to play there. If the school requires a student to participate in certain curricular activities to participate in an extracurricular activity, then the school must allow the student to do so.

With respect to public school students, the law also requires that any student who participates at a public school but transfers away from that school during the school year be allowed to continue to participate at the old school for the remainder of the year. The parents would be responsible for transportation to and from the school at which the student continues to participate, and neither the current school, the school where the student continues to participate, nor the school board can be held liable for anything related to this transportation.

Next, following years of litigation over the issue, the law creates a new statute requiring the FHSAA and any other authorized athletic association to adopt bylaws, policies, or procedures to allow each school participating in a high school championship contest to make up to two (2) minutes of opening remarks over the public address system, if requested. The FHSAA may not control, monitor, or review those remarks or control the school's choice of speaker. However, the comments cannot be derogatory, rude, or threatening, and there must first be an announcement that the opening remarks are not endorsed by or otherwise reflect the views of the FHSAA. As for regular season contests, the decision to allow opening remarks is up to each school.

Finally, the most significant aspect of this new law is a comprehensive overhaul of the FHSAA governance structure. First, there will now be significant oversight and control by the Commissioner and SBE. For example, the Commissioner can "direct the FHSAA to revise its bylaws at any time." Also, any changes to the bylaws, whether directed by the Commissioner or not, must be ratified by the SBE and may not take effect until ratified. The same is also true for the hiring of an Executive Director and adoption of the budget. Next, both the legislative and executive powers of the FHSAA will be vested in the Board of Directors, which will now consist of only 13 members, eight (8) of whom will be appointed by the Governor and confirmed by the Senate. There will be two (2) public school representatives selected by the public schools in the FHSAA, and then there will be two (2) nonpublic school members appointed by the nonpublic school members of the FHSAA. The Commissioner or designee

from the DOE will be the fifth member not appointed by the Governor. Among the Governor's appointees will be one superintendent and one school board member.

Going forward, the representative assembly of the FHSAA will now only be able to make legislative recommendations to the Board of Directors and make recommendations to adopt, reject, or revise any proposed amendments made by individual member schools, an advisory committee, the Commissioner, or the Executive Director.

Who Is Responsible for or Affected by the Bill? The district's and individual school athletic directors will need to be aware of these changes.

<u>How Will the Bill Be Implemented?</u> At the district level, there is not much to implement. Districts may need to review their eligibility policies and advise each FHSAA-participating school about some of these changes.

<u>Required Rulemaking?</u> Districts with policies addressing athletic eligibility may need to update policies, such as allowing a student to continue to participate at a school for the remainder of the year even if he or she transfers out of the school during the year.

Required Reports?

N/A.

Required Training?

N/A.

<u>Does the Bill Apply to Charter Schools?</u> Yes. There are specific provisions that apply to charter school students, and all schools who are members of the FHSAA are affected.

<u>What Problems or Concerns May Arise as a Result of this New Bill?</u> There will be some concerns about the reduced representation of member schools and the loss of authority for those schools. The vast majority of FHSAA members are public schools, but they will now be able to select only two representatives to the Board of Directors.

Creates:

Section 1006.185, Florida Statutes.

Amends:

Sections 1002.20, 1002.33, 1006.15, 1006.20, Florida Statutes.

Companion Bill:

CS/CS/SB 308 (Collins)

Final Legislative Analysis



# Other Student-Centered Laws

<u>CS/HB 389 (Ch. 23-100)</u> Menstrual Hygiene Products in Schools

By: Representative Skidmore

Effective Date: July 1, 2023
Approved by Governor: May 17, 2023

What Does the Bill Do? This new law creates section 1006.064, F.S., which provides that a "school district" can make menstrual hygiene products available in its schools at no charge. It is not mandatory. The products can be placed in the nurse's office (or other health services locations) and restrooms. The law prohibits the display of any logos or advertisements other than the brand name and product information. Even if the products or dispenser are donated or paid for by a private organization or individual, the district cannot display the donor's name or information about the donor with the products or on the dispenser. If a school participates in the program, it must provide students with information about the availability and location of the products. Finally, districts are encouraged to partner with nonprofit organizations, businesses, and others to assist in supplying the products and dispensing mechanisms.

Who is Responsible for or Affected by the Bill? Ultimately, if a district decides to make such products available in its schools, the district's health services department is most likely to be responsible for the overall program, while it will be the custodians who are most likely tasked with keeping the dispensers stocked.

In terms of finding funding for such a program, aside from simply electing to pay for it directly or contacting various manufacturers about donations or reduced-cost opportunities, districts may want to consult with their education foundation or the local department of health to look at funding opportunities and possible grants.

How Will the Bill Be Implemented? If a district elects to participate, it will need to find a source of funding. Some of the companies who produce these products may have programs in place for donations or reduced-cost programs. Otherwise, there may be local organizations interested in helping with the cost of such a program. Once the program is in place, each school will need to notify students about the availability of the products.

Required Rulemaking? N/A.

Required Reports? N/A.

Required Training? N/A.

<u>Does the Bill Apply to Charter Schools?</u> Maybe. This could be considered a health, safety, or welfare law, which would then apply to charter schools. However, even if charter schools were exempt from compliance, there is nothing that would prevent a charter school from making these products available on their own campus.



What Problems or Concerns May Arise as a Result of this New Bill? Other than maintaining the dispensers and supply of the products, there should not be any problems or concerns associated with this new law. It is a voluntary program, and these products have and will continue to be used at school whether or not they are given out for free.



Amends:

Sections 212.055 and 1013.62, Florida Statutes.

Companion Bill:

CS/CS/SS 1328 (Boyd & Hutson)

Final Legislative Analysis

# **Teachers**

CS/HB 1035 (Ch. 23-38)

K-12 Teachers

By:

Representative Gonzalez Pittman

**Effective Date:** 

July 1, 2023

Approved by Governor:

May 9, 2023

What Does the Law Do? This law addresses teacher training, teacher classroom authority, and the recruitment and retention of teachers through expanded opportunities and a teacher apprenticeship program. It also establishes a new Chapter 1015, F.S., which is entitled the Teachers' Bill of Rights, similar to the establishment of the Parents' Bill of Rights in Chapter 1014, F.S., two years ago.

### Teacher Training Requirements

First, the law directs the Commissioner of Education, by December 31, 2023, to review all classroom teacher training requirements, including all federal, state, or local requirements. Then, the Commissioner must assess those requirements and determine if there is any duplication. In assessing the requirements, the Commissioner must also evaluate whether the elimination of any of the state or local district requirements could have a negative impact. Further, this review process must include a review of classroom teacher training requirements in other states. Finally, the Commissioner must then "[e]liminate any classroom teacher training requirements not required by federal or state law" and make recommendations to the Legislature, as appropriate, for the elimination of requirements of state law or local district policies.

### <u>Teacher Authority</u>

With respect to teacher rights, the law first adds authority to the DOE's Office of Inspector General to "investigate allegations or reports of suspected violations of a student's, parent's, or teacher's rights." While the Office is designed to detect financial fraud and abuse within the education system, it is not clear that this new language is limited to investigations related to financial matters.

Next, the law amends section 1003.32, F.S., which establishes a teacher's authority in the classroom. Where teachers currently have some authority over student discipline, this law may expand on it and requires additional interaction between the principal and teacher. This statute was not clearly written before and remains unclear. It still says that a principal can



impose the teacher's recommended sanction or a greater sanction, if the student has a disciplinary history that warrants it. Currently, section 1003.32, F.S., provides that a principal should consult with the teacher first if the principal determines that a lesser sanction than recommended by the teacher is appropriate. From there, despite the law saying that the principal had only the two choices, lesser disciplinary sanctions have been imposed by schools for years.

Under the new law, there is no longer a reference to "a lesser" sanction. The amended subsection (3) will now read:

(3) A teacher may send a student to the principal's office to maintain effective discipline in the classroom and may recommend an appropriate consequence consistent with the student code of conduct under s. 1006.07. After determining that the student has violated the student code of conduct, the principal shall respond either by employing the teacher's recommended consequence, or by imposing a more serious disciplinary action, if the student's overall behavioral history warrants it. If the principal determines that disciplinary action other than that recommended by the teacher is appropriate, the principal should consult with the teacher before taking disciplinary action. If the principal determines that the student has not violated the student code of conduct, the principal may not impose any discipline. The principal shall notify the teacher of any decision regarding discipline, or lack thereof, and interventions provided to a student to address the behavior. If the principal deviates in any way from the teacher's recommendation, the principal must provide the reasons for any such deviation in writing to the teacher.

Now, the principal should consult with the teacher if the principal determines that a penalty other than the one recommended by the teacher is appropriate. Presumably, this just means that the principal should consult with the teacher first before imposing a lesser or harsher penalty, not just when it is a lesser penalty. However, this is not perfectly clear.

Further, the principal is required to notify the teacher of any disciplinary decision, or lack thereof, if the principals determines that the student did not violate the student code of conduct, as well as any interventions put in place to address the behavior. Finally, if the principal "deviates in any way from the teacher's recommendation, the principal must provide the reasons for any such deviation in writing to the teacher." Thus, it seems more likely than not that this new provision does not completely change the authority to impose discipline at the school, but it could create confusion.

### Teachers' Bill of Rights

With respect to the Teachers' Bill of Rights, the Legislature essentially has pulled together existing provisions of law, including section 1003.32, F.S., into one place. However, there are a few additions. The Teachers' Bill of Rights sets forth a teacher's employment rights, as established in section 447.301, F.S., and various sections of the Education Code. They also have a right to continuing education through professional development and a tuition and fee waiver



for up to 6 credit hours at a state university or college. Next, they have a right to control their classrooms, which is primarily established already in section 1003.32, F.S. However, it adds that, when a teacher faces litigation or professional practices sanctions for actions taken to maintain order in the classroom, "there is a rebuttable presumption that a teacher was taking necessary action to restore or maintain the safety or educational atmosphere of his or her classroom." It is not clear what is meant by restoring or maintaining the "educational atmosphere" of the classroom.

The Legislature also created a special magistrate process for teachers to bring complaints, if they believe they have been instructed by the school or district to violate the law or SBE rules. As with the special magistrate process created for parents last year in HB 1557, the cost of the special magistrate must be borne by the district no matter the merits of the complaint or outcome of the case. The special magistrate will render a recommended decision within 30 days, and the decision must then be approved or rejected by the SBE. If the SBE upholds a decision that the district is in violation of the law or SBE rule, the SBE may withhold the salary of the superintendent until the violation is corrected. The law does not mention what happens if the special magistrate finds that the school was in violation, not the district, nor is there any requirement that the teacher attempt to resolve issues locally first, like there is with the parental rights complaint process.

### Teacher Recruitment and Retention

Finally, the law addresses teacher recruitment and retention. It creates the Dual Enrollment Educator Scholarship Program, which will assist high school teachers to obtain graduate degrees and other necessary credentials to teach dual enrollment courses on their high school campus. Teachers awarded a scholarship under this program will have three (3) years to complete the program of study and then must teach at least one general education class per semester at a public school while remaining in the district (or another eligible district) for at least three (3) years after completing the degree.

There is also a new teacher apprenticeship program to create an alternative pathway to teacher certification. A person with an associate degree, a 3.0 GPA, and a temporary apprenticeship certificate (newly created temporary certification) may participate. They would spend two years in the classroom of a mentor teacher using team teaching strategies (with classroom enrollment allowed for up to 1.5 times over the number allowed under the Class-Size Amendment) while the apprentice works as an education paraprofessional. There are specific requirements for mentor teachers, including seven (7) years of experience and highly effective performance evaluations for the last three years. Mentor teachers are also eligible for a bonus.

Then, another recruitment effort is established through the "Heroes in the Classroom Bonus Program." This allows the DOE to award bonuses to retired first-responders and veterans who commit to becoming a classroom teacher. The bonus can be larger if they agree to teach in a critical shortage area. They must first obtain a professional or temporary certificate and commit to working with a district or charter school for at least two (2) years.



Who Is Responsible for or Affected by the Bill? Many teachers and future teachers will be affected by this new law. Some may be able to obtain higher degrees to start teaching dual enrollment courses, while many other people may have new pathways to becoming a teacher. All teachers will need to navigate this new emphasis on their authority over their classrooms. Good schools work best when everyone works together as a unit, not as individual fiefdoms where each classroom is an island. If the changes to the provisions about classroom management and discipline do little more than add a written notice requirement of all outcomes, not much should change here other than additional paperwork requirements for administrators. However, if the intent was actually to restrict principals from imposing lesser sanctions than recommended by the teacher, those teachers seeking to exercise such control may find a host of unintended consequences waiting for them.

Depending on just what is intended with the changes to section 1003.32, F.S., and the creation of the Teachers' Bill of Rights, school administrators will also be affected significantly by this part of the law. First, the principal has to notify the teacher of any disciplinary decision, as well as interventions that will be provided to address the behavior. Then, if the principal imposes any sanction other than the one recommended by the teacher, he or she must notify the teacher in writing of the reasons for this deviation.

For the apprenticeship and Heroes in the Classroom programs, district HR departments will need to read these new provisions carefully and look to implement new recruiting strategies to take advantage of them. HR and professional development teams will also need to identify, recruit, and train potential mentor teachers.

Curriculum departments will also need to look at the new dual enrollment possibilities that may be created by the initiative to bolster teacher credentials. What does the current articulation agreement with the local college say about dual enrollment courses offered by district teachers on district campuses? This agreement may need to be amended if local teachers take advantage of the opportunity over the next few years.

**How Will the Bill Be Implemented?** First and foremost, the SBE and DOE have some work to do to adopt rules for several of the new programs created in this law, and the Commissioner has until the end of the year to complete the study on teacher training requirements.

As mentioned above, HR and professional development teams will need to prepare for the new apprenticeship program. Are there staff members in the district who meet the minimum criteria? Are they interested in pursuing this opportunity to become a teacher? Do we have potential mentors ready to work with an apprentice in a team-teaching model for two years? These teams should also be looking at local training requirements now, as this law clearly intends for these to be reduced or eliminated.

Additionally, HR and student services departments will need to work with schools on student disciplinary procedures. Principals, after weighing all the evidence, may believe that a lesser sanction than recommended by the teacher is appropriate. They **should** consult with the teacher before imposing this lesser sanction. They **shall** notify the teacher of any disciplinary

decision and interventions. Finally, they *must* notify the teacher *in writing* if the sanction deviates in any way from what the teacher recommended. Thus, the best approach may be to consult with the teacher first and ask the teacher to make a lesser recommendation so that no additional written reports are required.

Required Rulemaking? The SBE must adopt rules for the Dual Enrollment Educator Scholarship Program, the Teacher Apprenticeship Program, and the Heroes in the Classroom Bonus Program. It is also likely that the SBE will need to adopt rules for the special magistrate process for teacher complaints, similar to what was adopted following last year's HB 1557. Hopefully, the rule will include some limitations that will allow some of the more frivolous claims to be dismissed without the need for the appointment of a special magistrate.

Districts may need to look at their Student Code of Conduct and any policies involving classroom behavior or teacher authority.

**Required Reports?** There is no new reporting required by the Law.

Required Training? There are no explicit requirements for new training here, but there may be some training requirements for those who will serve as mentor teachers for apprentices. Additionally, it may be necessary to work with principals and other school administrators on best practices for handling and processing disciplinary referrals.

<u>Does the Bill Apply to Charter Schools?</u> Yes and no. For the provisions outlining teacher training and certification, this law does apply to charter schools. Teacher certification is the same for both traditional and charter school teachers. However, the special magistrate language and the control of the classroom language does not appear to apply to charter schools. First, section 1003.32, F.S., is not listed as one of the statutes that charter schools must follow. Second, the Teachers' Bill of Rights refers only to school districts when discussing a teacher being directed to violate the law or rule and seeking a special magistrate.

What Problems or Concerns May Arise as a Result of this New Bill? It is not clear how the Commissioner will eliminate any classroom teacher training requirements not mandated by federal or state law. Presumably, this would mean eliminating any local district requirements, but these may be board-adopted policies or provisions approved in a collective bargaining agreement. While there is a provision for the Commissioner to make suggestions to the Legislature for eliminating local policies, it is not clear what power the Commissioner has to simply eliminate them on his own.

With respect to the language about teacher authority within the classroom, section 1003.32, F.S., already creates some confusion in the difference between establishing and maintaining classroom rules of conduct and the much larger issue of infractions of the student code of conduct, including SESIR offenses, which often require interviewing witnesses, reviewing evidence, and making fine distinctions. Teachers are not expected to interview witnesses, refer to DOE guidance on SESIR reporting, and make the final decision about whether the offense had the necessary monetary value to rise to the level of vandalism, for example. Similarly, they may not have all of the background information on a student to know the appropriate consequence in a particular instance. Hopefully, the amendments to section 1003.32, F.S., and

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repeating this language in the new Teachers' Bill of Rights chapter will not create a false sense that individual teachers can or should make final disciplinary decisions for all violations of the code of conduct.

Finally, there are numerous questions that remain about the special magistrate process. Why is there no process to raise and correct the issue locally first, as there is with parent complaints? What parameters will be in place to prevent abuse or bizarre interpretations of "directions" or the law? What restrictions, if any, will the SBE adopt to prevent unnecessary litigation? The statutory remedy for a violation says that the superintendent forfeits his or her salary if the district is found to have violated the teacher's rights, but it is silent as to other possible findings or remedies. What happens if the school directs the teacher to violate the law but not the district? Every district should have a grievance process in place already, but this law appears to allow teachers to bypass it, which may be contrary to board policy or the collective bargaining agreement.



# LGBTQ Issues

CS/CS/HB 1069 (Ch. 23-105)

Education

By:

Representatives McClain and Anderson

**Effective Date:** 

July 1, 2023

Approved by Governor:

May 17, 2023

What Does the Bill Do? This new law expands upon last year's HB 1467 (books) and HB 1557 (classroom instruction). It addresses the process for removing books from schools, classroom instruction on sexual orientation and gender identity, sex and health education, and the use of pronouns.

### Sex and Pronouns

First, as with several other bills passed this year, the Legislature defines sex to be male or female based on a person's biological sex and reproductive role at birth. Next, the law establishes that "[i]t shall be the policy of every public K-12 educational institution that is provided or authorized by the Constitution and laws of Florida that a person's sex is an immutable biological trait and that it is false to ascribe a person a pronoun that does not correspond to such person's sex." The only exception is for people with a specific genetic or biochemical disorder. No student or employee of a public school can be required to use someone's preferred pronouns if they do not correspond to that person's sex. Further, school employees cannot tell a student their preferred pronouns if they do not match the person's sex, nor can a school employee ask a student to provide his or her preferred pronouns or discipline a student for failing to do so.

### Classroom Instruction

With respect to HB 1557 from last year, which amended school board duties and responsibilities in section 1001.42, F.S., this new law expands the prohibition against classroom instruction on sexual orientation and gender identity from K-3 to PreK - 8. Any instruction in grades 9-12 must be age- or developmentally appropriate. Finally, the new law adds a requirement that districts post on their websites the policies they have adopted for parental notification of the procedures required in this subparagraph of section 1001.42(8)(c), F.S.

### Sex Education

The law also addresses required health education. First, it amends section 1003.42, F.S., to remove all local school board authority over the curriculum and materials to teach about reproductive health and sexually transmitted diseases. Instead, all materials used to teach

It should be noted that the SBE amended Rule 6A-10.081 recently to provide that Florida educators "[s]hall not intentionally provide classroom instruction to students in grades 4 through 12 on sexual orientation or gender identity unless such instruction is either expressly required by state academic standards as adopted in Rule 6A-1.09401, F.A.C., or is part of a reproductive health course or health lesson for which a student's parent has the option to have his or her student not attend."



these topics now "must be approved by the [DOE]." Also, section 1003.46, F.S., is amended to require that schools must classify males and females as defined by this new law "and teach that biological males impregnate biological females by fertilizing the female egg with male sperm; that the female then gestates the offspring; and that these reproductive roles are binary, stable, and unchangeable." Once again, the law adds that the DOE must approve any materials used for this instruction. It is not clear whether the DOE will review and adopt an approved list of materials from which districts can choose or if districts will pick their own materials and then submit them to the DOE for approval.

### **Books and Instructional Materials**

Finally, this new law also amends section 1006.28, F.S., and its provisions related to books and other materials available at the school and book challenges. First, it codifies the DOE's interpretation (Rule 6A-7.0715, F.A.C.) that references to materials available in school libraries includes individual classroom libraries. Next, it adds that the objection form for parents or county residents must be a standardized form adopted by SBE rule. Also, the district's process for challenging books "must be easy to read and understand and be easily accessible on the homepage of the school district's website." The objection form must also identify the district's point of contact and contact information for submitting an objection. Further, school boards must adopt and publish on their websites "the process for a parent to limit his or her student's access to materials in the school or classroom library," and school principals are responsible for notifying parents of the procedures for contesting the adoption and use of instructional materials as well as the process for objecting to the use of specific materials.

The current law allows for an objection if a book is pornographic, is not suited to student needs and comprehension ability, or is inappropriate for a particular grade level or age group. The new law adds a fourth category for material that "[d]epicts or describes sexual conduct as defined in s. 847.001(19), unless such material is for a course required by s. 1003.46, s. 1003.42(2)(n)1.g., or s. 1003.42(2)(n) 3., or identified by State Board of Education rule." Sexual conduct is defined in section 847.001(19), F.S., as "actual or simulated sexual intercourse, deviate sexual intercourse, sexual bestiality, masturbation, or sadomasochistic abuse; actual or simulated lewd exhibition of the genitals; actual physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or, if such person is a female, breast with the intent to arouse or gratify the sexual desire of either party; or any act or conduct which constitutes sexual battery or simulates that sexual battery is being or will be committed. A mother's breastfeeding of her baby does not under any circumstance constitute 'sexual conduct.'" If a challenge is filed based on a book containing pornography or sexual conduct, it must be pulled from circulation within five (5) days and remain unavailable until the rejection is resolved.

The law further provides that parents have the right to read passages from any challenged material. If the schools board denies the parent the right to read passages aloud at a meeting, the district must discontinue using the material. Also, if the district finds that a book meets the pornography definition, it must discontinue use of the book entirely. If the district finds that a book meets one of the other three categories, it must discontinue the use of the book for any grade level or age group for which the book is declared inappropriate.



Finally, the law addresses the review process. First, review committees must include parents and provide access to the challenged material. Next, the committee meetings must be noticed and open to the public. Then, if a parent<sup>4</sup> disagrees with the final determination about a book by the school board, her or she may ask the Commissioner to appoint a special magistrate who will review the board's decision and make a recommended finding to the SBE. As with the special magistrate process created in HB 1557 last year, the costs of the special magistrate and hearing process will be borne by the district. The law directs the SBE to adopt rules to implement these new provisions, including the adoption of any necessary forms. The law also made some amendments to the annual reports districts must submit to the Commissioner about book challenges. The report should identify the grade level and course in which the material was used, and any book or other material that was not removed needs to be identified along with the rationale for not removing it.

Who Is Responsible for or Affected by the Bill? This new law is likely to affect all personnel connected to teaching and learning, from classroom teachers to media specialists to school administrators and all the way up to district administrators and the school board itself.

<u>How Will the Bill Be Implemented?</u> Curriculum departments will need to determine if the DOE will be pre-approving certain sex education materials, or if the expectation is that districts will still select first but then must seek approval from DOE before the materials can be used. That information must be determined this summer if schools are going to know what they can and cannot teach next year.

The district media specialist or whoever is overseeing this process for the district will need to watch for new SBE rules on these subjects, including the adoption of a standard objection form. The form will need to include the name and contact information for the point-person in the district, and the district's website needs to include the process for challenges related to LGBTQ issues and book challenges. Along the same lines, principals need to notify parents about the process for challenging both instructional materials adopted by the school board and specific materials used at the school. Finally, if any district did not already include classroom reading material in its online database for elementary school books and materials, it will need to make sure that classroom collections are included as well.

Required Rulemaking? The SBE is authorized to adopt rules to implement further the pronoun statute, and districts may need to amend any of their own policies that conflict with the new state-mandated policy for all districts that sex is an immutable biological trait.

<sup>&</sup>lt;sup>4</sup> Although the law allows a parent or county resident to file a book challenge, this part of the law refers only to "a parent." It is not clear whether this means any parent in the district can ask for a special magistrate if he or she disagrees with the ultimate decision of the school board or if it only applies to a parent who filed the initial challenge. The legislative analysis says that the appeals process is for a parent who disagrees with this decision "on his or her objection," which suggests that the reference to "a parent" is actually to "the parent" who submitted the objection in the first place. Presumably, a county resident who filed a challenge cannot ask for a special magistrate unless he or she is also a parent of a child attending a district school.



The SBE may need to amend some of its recently-adopted rules concerning classroom instruction on sexual orientation or gender identity, and districts that have adopted policies addressing these topics may also need to make amendments to reflect the changes enacted.

Finally, districts may need to review and amend their policies concerning book challenges, especially if their policy requires that material be left on the shelf until the conclusion of the challenge. For example, NEOLA's policy template for this topic has historically left it as a school board choice. Also, "Each district school board shall adopt and publish on its website the process for a parent to limit his or her student's access to materials in the school or classroom library."

Required Reports? The law amended the provisions for the annual report submitted to the Commissioner by June 30th about book challenges in the district. Next year's report will need to include information about the grade level and course in which the material was used and include a list of materials that were challenged but not removed, as well as the reasons why they were not removed.

All instructional and administrative personnel should be advised of the new provisions added this year and provided with whatever resources are available to help them navigate through this. Unfortunately, there is not much available from the DOE, and the media specialist training they created earlier this year advises such things as "when in doubt, err on the side of caution." Teachers in grades PreK and 4-8 need to know that the law expanded the prohibition on classroom instruction, and all teachers and administrators need to know about the rule amendments the SBE has adopted this past year on these subjects, because these put their certification at risk. Finally, principals should be advised of their new notification requirements about challenges to instructional material adoption and specific materials used at the school.

Does the Bill Apply to Charter Schools? Yes and no. The sections addressing the definition of sex, pronouns, and classroom instruction on sexual orientation and gender identity apply to charter schools. While it was questionable whether HB 1557 applied to charter schools last year, because the law only amended section 1001.42, F.S., the SBE adopted rules that did extend to charter schools (special magistrate). This year, HB 1069 further amended section 1001.42(8)(c), F.S., and added, "This subparagraph applies to charter schools," in the subparagraph addressing prohibited classroom instruction. Arguably, the rest of paragraph (8)(c) of section 1001.42, F.S., does not apply to charter schools, but the SBE apparently found that this was a health, safety, and welfare law from which charters were not exempt.

However, charter schools are not required to teach the "required" topics listed in section 1003.42, F.S., so the changes to required health and sex education do not apply to charters. Also, just as HB 1467 did not apply to charter schools, despite it arguably being a health, safety, or welfare law, charter schools are not required to comply with section 1006.28, F.S., involving instructional materials and library collections.

What Problems or Concerns May Arise as a Result of this New Bill? The problem is not that the Legislature and DOE want districts to have processes in place to make sure that limited



school resources are being spent on age- and developmentally appropriate reading material. The problem is that the method they have employed is incredibly time and resource-intensive, takes educators away from teaching and learning, and has fed into this damaging narrative that public schools are places of indoctrination and sexual abuse. One of the major issues with both HB 1467 and HB 1557 last year is that they were very much open to interpretation. The DOE and other legislative proponents talked about the laws applying "only" to classroom instruction or pornographic material. However, without clear definitions or guardrails, these issues have been interpreted quite broadly at the local level, as many people have an expansive definition of classroom instruction and wildly differing views on what is considered pornography.

Many districts have been besieged by book challenges from parents, employees, and community members. While some of the challenges have had merit, at least with respect to age appropriateness, many of the challenges have little to do with sexual activity or could not meet even the most expansive definition of pornography. Instead, books that reference slavery, Jim Crow, the civil rights era, and other ugly parts of American history are challenged. Meanwhile, teachers are not sure whether an LGBTQ character in a book or movie or a picture of a same-sex married couple violates the law, because those are not classroom instruction as educators understand the term, but they are the focal point of many local complaints. Bill sponsors have repeatedly said that a picture of a same-sex spouse on the teacher's desk is not classroom instruction, but they are much less direct when asked how the teacher can respond if a student asks a question about it. This year, the answers from some legislators were on the verge of telling teachers to respond to their students that their questions were inappropriate for the classroom and simply direct them back to the state standards instead.

These laws are tying up district resources, as committees must convene, read, review, and assess each of the challenged books, and it is taking books out of circulation for long periods of time. This new law doubles down on that problem by specifically mandating that any challenged book be made unavailable until the objection is resolved. The law limits this requirement to objections based on pornography or depictions of sexual conduct, but, as with so many of these recent laws, the law does little to put guardrails in place and encourages individuals to read the law expansively to the point that the mere reference to an LGBTQ person, or some sexual activity without any description of it, is challenged for including inappropriate sexual content.<sup>5</sup>

Creates: Section 1000.071, Florida Statutes.

<u>Amends</u>: Sections 1000.21, 1001.42, 1003.42, 1003.46, 1006.28, Florida Statutes.

CS/HB 1223 (Anderson) / CS/SB 1320 (Yarborough)

Final Legislative Analysis

<sup>&</sup>lt;sup>5</sup> This vagueness in the law forces each district to address these issues on their own, opening each up to challenge and criticism no matter what they do. The DOE instructs districts to err on the side of caution but then accuses districts of manufacturing controversy when they do so. The Escambia County School District is the latest victim of this, as it now faces a court challenge from Penguin Books, as well as several authors and parents.



CS/HB 1521 (Ch. 23-106)

Facility Requirements Based on Sex

By:

Representative Plakon

**Effective Date:** 

July 1, 2023

Approved by Governor:

May 17, 2023

What Does the Bill Do? This new law creates section 553.865, F.S., which is entitled the "Safety in Private Spaces Act." It is directed at restroom use in public buildings, with particular focus on correctional facilities and educational institutions. Like some other bills passed in the last two years, it declares that sex is a biological trait determined at birth. There are females, who have "the specific reproductive role of producing eggs," and males, who have "the specific reproductive role of producing sperm."

### General Facility Requirements

The law requires all covered entities, which includes schools, to maintain restrooms "designated for exclusive use by females and . . . exclusive use by males" as determined at birth, or they can maintain a unisex restroom. A unisex restroom is designed for a single occupant (or family) and is accessed by entering through a full door with a secure lock. If the covered entity also has changing facilities, such as a locker room, they must also be maintained for the exclusive use of females and males, or they need to be unisex facilities (single use, secure lock). A person may not enter a restroom or changing facility designated for the opposite sex unless it is to assist a child (under 12), an elderly person (60 or older), or a person with a disability (physical or developmental). There are also exceptions for law enforcement, custodians, and emergency responders, as well as an exception when the appropriate facility is out of order and there is no one of the opposite sex currently in the other facility.

### Code of Conduct and Employee Discipline Policies

With respect to schools, the law requires that student codes of conduct include disciplinary procedures for "any student who willfully enters, for a purpose other than [the allowable exceptions], a restroom or changing facility designated for the opposite sex on the premises of the educational institution and refuses to depart when asked to do so by" any instructional or administrative personnel or a safe schools officer. Furthermore, if any instructional or administrative personnel enter a facility designated for the opposite sex and refuse to depart when asked, they are in violation of the Principles of Professional Conduct for the Education Profession. See Rule 6A-10.081, F.A.C. All public entities, including schools, must further establish disciplinary procedures for any employee who willfully enters a facility designated for the opposite sex for any purpose other than the exceptions outlined above.

### **Criminal Sanctions**

For people other than students and employees, any person who willfully enters a restroom or changing facility designated for the opposite sex at a school and refuses to depart when asked by appropriate personnel is guilty of trespassing under section 810.08, F.S.. If there was no one



in the facility when the person entered, it is a second degree misdemeanor, while it is upgraded to a first degree misdemeanor if the facility was occupied when entered.

### State Board Rules

Next, the law requires the SBE to adopt rules to implement this new law "and to ensure compliance with and enforcement of this section, including, but not limited to, the type, format, and method of delivery of the documentation required" to show compliance with the facility requirements.

### Reporting Requirements and Complaints

Finally, the law requires schools to submit documentation of compliance with restroom and changing facility requirements to the SBE by April 1, 2024, or within one year of opening, for those schools opening after July 1, 2023. Then, beginning July 1, 2024, people may submit complaints to the Attorney General if they believe a school is not meeting the facility requirements. If a school is not in compliance, the Attorney General can bring a civil action seeking injunctive relief and up to a \$10,000 fine.

Who Is Responsible for or Affected by the Bill? Schools already have restroom requirements under SREF, and the SBE adopted a restroom rule in 2022. See Rule 6A-10.086, F.A.C. (requiring districts to notify parents if they had a policy that separated restrooms or changing facilities by anything other than biological sex at birth). Thus, most districts will not need to do anything in particular with their facilities or use of facilities policies. However, any district that currently allows people to use restrooms or changing facilities based on something other than biological sex at birth will need to repeal those policies to comply with this new law.

District student services departments will need to bring forth new language for board approval of the student codes of conduct, and district HR departments will need to do the same to address disciplinary procedures for employees (6A-10.081 violation for instructional and administrative personnel and some other disciplinary penalty for other employees). Finally, enforcement of the law at schools is limited to instructional and administrative personnel, so those are the employees who may be asked to enforce this new law.

<u>How Will the Bill Be Implemented?</u> This is the tough question. Structurally, district schools will continue to designate most of their restrooms and changing facilities as male or female (with unisex bathrooms in primary grade classrooms), and codes of conduct and employee disciplinary policies will be amended. However, it is one thing to designate restrooms as male or female, but something else to enforce it.

For compliance purposes, districts will need to watch for <u>SBE rulemaking notices</u> to see what is adopted with respect to demonstrating compliance with the facility designation requirements and any other requirements that may be adopted to implement this new law.

<u>Required Rulemaking?</u> The SBE will adopt rules establishing how districts can demonstrate compliance with the restroom and changing facility requirements, and it is possible that the rules will go further.



School boards will need to adopt provisions in their student codes of conduct and employee discipline policies. This may also require making changes to collective bargaining agreements, depending on the employee discipline language contained therein. Also, any district that elected to adopt a restroom or changing facility policy based on gender identity or something other than biological sex at birth will need to repeal that policy, as state law trumps school board policy.

<u>Required Reports?</u> Schools will need to submit evidence of compliance with the facility designation requirements by April 1, 2024, pursuant to whatever requirements are adopted by the SBE through rulemaking.

Required Training? Administrators and instructional personnel will need to be advised of this new law and the fact that they are the only employees at the school who can enforce it. Procedures for responding to complaints may need to be developed, as situations where students are accusing other students of being in the wrong restroom could escalate quickly and potentially disrupt the learning environment. Districts may also need to remind other employees who are not instructional personnel or administrators that they do not have the authority under the law to enforce it.

<u>Does the Bill Apply to Charter Schools?</u> Yes. Both charter and private schools are explicitly included in the Safety in Private Spaces Act.

What Problems or Concerns May Arise as a Result of this New Bill? There are two primary concerns with this new law. First, issues concerning gender identity and facility usage are being litigated across the country. While the U.S. appellate court with jurisdiction over Florida recently upheld a school district's decision to restrict restrooms to biological sex, not gender identity, other courts have found differently, and there were numerous facts cited in the Florida case that led to the decision upholding the district's policy. This law and other issues involving transgender people are going to continue to be litigated, which may cause uncertainty at times as to the current status of the law. Some districts may even be named as defendants or receive federal OCR complaints as people seek to challenge it, which can result in significant costs and more personnel time being diverted from the classroom.

Second, and more importantly, is the question of enforcement. As noted above, it is one thing to designate a restroom male or female, but it is quite another to enforce that. How is a teacher or administrator supposed to determine a student's biological sex at birth? The student information system may indicate that a student is male or female, but that information is usually obtained based on the copy of the birth certificate, passport, or other document used when the student enrolled. Some transgender people have had these documents changed to reflect their gender identity. Will the DOE consider it sufficient for the principal to refer to the student information system to determine the student's sex? Even more difficult will be enforcing this law against adults, as they will not be in the student information system, and the school may not have any documentary evidence of the person's biological sex.

A strict reading of the law would require a transgender male (biologically female at birth) to use the female restroom even if he looks to all observers like a male. It requires no stretch of



imagination to envision a woman in the woman's restroom being concerned when a person with a beard and a masculine appearance enters the restroom. The woman would then summon a teacher of administrator to ask the person to leave. The transgender male, who may have had his driver's license changed to reflect his gender identity, would have no way of demonstrating that he is in fact following the law by using the female restroom, short of subjecting himself to a strip search. Teachers and administrators should not be placed in such a position or be asked to conduct genital checks. Obviously, transgender people will have a difficult time navigating this new law, but it could also place a tremendous burden on teachers and administrators asked to enforce it.



# **District Operations**

# Multiple-Subject Train

CS/CS/CS/HB 1537 (Ch. 23-39) Education

By:

Representative Rizo

**Effective Date:** 

July 1, 2023 (Concordant Scores effective May 9,

2023)

Approved by Governor:

May 9, 2023

What Does the Bill Do? After all of the amendments attaching parts of other bills to this one, a better question might be "What doesn't this bill do?" This new law has 40 sections spread out over 114 pages in the enrolled version of the bill. It addresses, among other things, concordant scores for graduation, charter schools, required instruction, year-round schools, graduation requirements, teacher preparation programs, independent colleges and universities, student behavior and searches, dual enrollment, additional standardized assessment options, school grading formulas, Bright Futures, teacher evaluations, teacher certification, professional development (or learning), and charter school capital outlay funding. If provisions passed both in this law and separately in a stand-alone law, the main summary will be addressed in the discussion of the stand-alone law. For example, the year-round school pilot program is discussed below with HB 891. Also, provisions that are unlikely to affect public schools are not addressed, including several sections focused on the Commission for Independent Education and the private colleges and universities under its purview.

### Concordant Scores for Graduation

After superintendents rang the alarm bells for months to no avail, the Legislature stepped in late to offer some relief to the Class of 2023, which was the class most affected by the pandemic. The Legislature established concordant scores for both the Class of 2023 and 2024. For this year's class, the law re-established the ELA scores available to all previous graduating classes, allowing seniors to meet the old concordant scores (e.g., 430 SAT) or the new ones (e.g., 18 average on ACT English and Reading). For Algebra I, the law does allow seniors to qualify by using the PERT exam, but the required score is much higher than it has been for previous seniors.

With respect to the Class of 2024, the Legislature made it clear that the higher standards adopted by the SBE, which originally were supposed to take effect with the Class of 2022, will not be waived. The Legislature codified the SBE rule. For example, a member of the Class of 2024 will need to achieve a 480 on the SAT if he or she cannot pass the 10<sup>th</sup> grade ELA assessment. Also, the PERT will not be an option next year. The only change to what was already in SBE rule is the addition of the Classic Learning Test (CLT). Students will be able to



achieve qualifying scores using the CLT, and the SBE is directed to establish the appropriate concordant scores for the CLT.

### Charter Schools

The law amends the charter school statute to provide that charter schools can dismiss students based on academic performance if academic performance was part of its admission criteria. This provision is discussed below in greater detail in the summary of HB 443, which adds a requirement that charter schools implement a progress monitoring plan for at least a semester before it can dismiss a student for poor academic performance.

In addition, this law also addresses capital outlay funding for charter schools. Under current law, charter schools are eligible to receive capital outlay funds if they have been in operation for at least two years and meet some other requirements, including "satisfactory student achievement." The SBE has a rule that defines this to mean no school grade of F or two consecutive grades below a C. However, this new law ignores the SBE rule and instead establishes that a charter school is eligible for capital outlay funds as long as it has not earned two (2) consecutive grades of F, three (3) consecutive grades below a C, or two (2) consecutive "Unsatisfactory" school improvement ratings. In other words, they can receive these public dollars right up until the law requires them to close.

### Required Instruction / Designated Days

The law creates the "9/11 Heroes' Day," which must be "suitably observed" in public schools on September 11<sup>th</sup> each year. Additionally, beginning this coming school year, students enrolled in Civics and U.S. Government classes must receive at least 45 minutes of instruction on topics involving the history and significance of September 11, 2001. This includes recognizing the sacrifices of military personnel, government employees, civilians, and first responders both on September 11, 2001, and afterwards. Other topics include the historical context of global terrorism; a timeline of events on September 11, 2001; the acts of heroism of first responders and the passengers of United Airlines Flight 93; the national and global outpouring of support and humanitarian aid following the attack; the global response to terrorism; and the "importance of respecting civil liberties while ensuring safety and security." The SBE is required to adopt revised Social Studies standards for inclusion into both the Civics and U.S. Government classes.

This law also adds the "history of Asian Americans and Pacific Islanders" to the list of required instruction topics in section 1003.42, F.S. This history must include "the history of Japanese internment camps and the incarceration of Japanese-Americans during World War II; the immigration, citizenship, civil rights, identity, and culture of Asian Americans and Pacific Islanders; and the contributions of Asian Americans and Pacific Islanders to American society. Instructional materials shall include the contributions of Asian Americans and Pacific Islanders to American society."



### **Graduation Requirements**

The law also amends high school graduation requirements. Currently, a student is required to get "[o]ne credit in fine or performing arts, speech and debate, or practical arts." Now, it will be "[o]ne credit in fine or performing arts, speech and debate, or career and technical education." Despite the deletion of "practical arts" from the list, the law now provides that a practical arts course that includes artistic content and "techniques of creativity, interpretation, and imagination satisfies the one credit requirement." The same provisions are also in SB 240 (above).

### **Dual Enrollment**

Currently, section 1007.271, F.S., requires the DOE to approve any course for inclusion in a dual enrollment program that is contained within the statewide course numbering system. Now, the law will say that the DOE shall approve any course that is "age and developmentally appropriate" and contained in the statewide course numbering system.

## School Grades, Assessments, and Accountability (3rd grade, CLT)

One of the major topics of this new law is expanding the number of assessments students can use for various purposes, besides just the SAT or ACT. The law adds the Classical Learning Test (CLT) to this list, and it de-emphasizes references to College Board programs, like AP courses and the SAT. For example, beginning in 2023-24, school districts may now give 11<sup>th</sup> grade students the SAT, ACT, or CLT exam, instead of just the first two.

With respect to school grades, the law adds a new component for factoring an elementary school's grade. Beginning in 2023-24, the percentage of students who score a three (3) or higher on the ELA assessment in 3<sup>rd</sup> grade will be a separate component used in the grade calculation.

### Student Behavior and Searches

The law amends the duties of school principals with respect to student discipline and school safety to add a provision about searching a student's belongings:

Any search of a student's personal belongings, including a purse, backpack, or bookbag, must be conducted discreetly to maintain the privacy of the student's personal items within such belongings. Personal items that are not prohibited on school grounds must be immediately returned to the student's personal belongings.

Also, the law amends the zero tolerance statute, which requires school boards to adopt a policy of zero tolerance for certain offenses, but also requires that the policy minimize the victimization of students and staff, as well as protect victims from further victimization. It now apparently adds a self-defense and defense of others provision. "In a disciplinary action, there is a rebuttable presumption that the actions of a student who intervened, using only the amount of force necessary, to stop a violent act against a student, staff, or volunteer were necessary to restore or maintain the safety of others."



### Teacher Preparation Programs, Certification, and Evaluations; Professional Learning

One of the major themes of this bill, as well as HB 7039, is an emphasis on science-based reading instruction. Additional references to this new emphasis are added to teacher preparation statutes. Another major theme in this bill is changing the emphasis from professional development to professional learning and adding charter schools to various sections addressing mentorship and teacher development programs. Professional learning means "learning that is aligned to the state's standards for effective professional learning, educator practices, and leadership practices; incorporates active learning; is collaborative; provides models; and is sustained and continuous." The law also establishes certain criteria for professional learning activities, such as being aligned to the appropriate state standards, having clear and measurable outcomes, employing multiple measurement tools, utilizing coaching and expert support, providing opportunities for collaboration and reflection, and providing for follow-up activities. The DOE will be tasked with creating "a high-quality professional learning marketplace list that acts as a guide and tool for teachers, schools, school administrators, and districts across the state to identify . . . programs and resources that meet the criteria established in [law] and have demonstrated success in meeting identified student needs."

With respect to teacher evaluations, a provision was added to the law to clarify that a school administrator is not limited to visiting classrooms solely for the purpose of assessing the instructional practice of a teacher for the annual evaluation. "This section does not preclude a school administrator from visiting and observing classroom teachers throughout the school year for purposes of providing mentorship, training, instructional feedback, or professional learning."

For teacher certifications, the law changes some references from professional development to professional learning. However, it also creates a new pathway to obtaining a temporary teaching certificate. Now, a student enrolled in a state-approved teacher preparation program may be eligible. If the student is actively completing the required program field experience or internship at a public school, satisfies the basic background check requirements, completes the subject area requirements or demonstrates subject area mastery, and has completed at least 60 college credits with at least a 2.5 GPA, the student can be awarded a temporary teaching certificate. As was also done in HB 1, all temporary teaching certifications will be valid for five (5) years instead of three (3).

The law still requires each school district to "develop and maintain a system by which members of the instructional staff may demonstrate mastery of professional preparation and education competence as required by law. Each program must be based on classroom application of the Florida Educator Accomplished Practices and instructional performance and, for public schools, must be aligned with the district's or state-supported public school's evaluation system established under s. 1012.34, as applicable." Effective March 1, 2024, the DOE will create a calendar for the review and approval of all professional learning systems, which must be reviewed and approved every five (5) years. In addition, the current law provides that districts can still contract with independent entities to provide professional development/learning. However, the law will now require that these independent contractors have at least three (3)

also verify that the contracted professional learning opportunities meet the requirements for professional learning now established in law (see criteria set forth a few paragraphs above).

Finally, applicants for renewal of educational leadership certification, beginning July 1, 2025, must earn at least one (1) college credit or 20 inservice points in Florida's educational leadership standards, as established by SBE rule. However, this requirement cannot add to the total number of hours required by the DOE for continuing education or inservice training.

### **Bright Futures**

As mentioned above, this law adds the Classic Learning Test (CLT) to the list of allowable college readiness exams. The DOE is required to set concordant scores for the CLT to match those required on the SAT and ACT to achieve Florida Academic Scholarship or Florida Medallion Scholarship levels.

Also, after the law was amended last year to allow work hours in place of volunteer hours in some circumstances, it was amended this year to allow students to combine the two. So, students can reach the required 100 hours for Academic Scholars through 100 hours of volunteer work, 100 hours of paid work (as approved by the school board), or a combination of both. For Medallion Scholars, it will be 75 volunteer hours, 100 work hours, or 100 hours combined. Finally, for Vocation Scholars and CAPE Scholars, it will be 30 volunteer hours, 100 work hours, or 100 hours combined.

### Year-round School Pilot Program

The law creates a year-round school pilot program. The exact same language was enacted in a stand-alone bill – HB 891, which is discussed in greater detail below.

### Health and Sex Education

The law currently requires districts to notify parents on the district's website of their right to request an exemption from the teaching of certain elements of the sex education curriculum. It will now require that districts annually review and confirm that the district's website is current and accurate, and districts must notify parents by physical or electronic means if any revisions are made.

Also, the law will now allow a student to possess and use over-the-counter headache medication on school property or at a school function without a doctor's note or prescription.

Who Is Responsible for or Affected by the Bill? There is something in this law for just about everyone in the K-12 education system.

<u>How Will the Bill Be Implemented?</u> The revised concordant scores became effective May 9, 2023. Hopefully, this helped thousands of seniors receive their high school diploma this year.

Required Rulemaking? The SBE has rulemaking authority for implementing the year-round school pilot program (see HB 891, below). It is also required to establish concordant scores for the CLT for both Bright Futures and graduation requirements. The SBE also has new rulemaking authority over postsecondary educator preparation institutes, where the law



previously left it to the Commissioner to review the programs and determine whether they would be approved to continue. Similarly, where the current law required the DOE to adopt "standards" for professional development certification and education competency programs, the law now requires the SBE to adopt rules for the approval and continued approval of professional learning certification programs.

Districts may need to amend their student codes of conduct, zero-tolerance policy, and student search policies to address some of these changes, such as the rebuttable presumption that a student broke up a fight to protect the health and safety of others and the right of students to possess and use over-the-counter headache medication.

<u>Required Reports?</u> The Commissioner must prepare a report for the Governor, Speaker of the House, and Senate President at the conclusion of the year-round school pilot project (see HB 891, below).

Required Training? Many of these changes will need to be disseminated to school personnel.

Does the Bill Apply to Charter Schools? Yes and no. Many of the provisions are specifically directed at charter schools, and others apply to all public schools. However, charter schools do not have to teach the required topics of instruction in section 1003.42, F.S., including the new requirement to teach the history of Asian Americans and Pacific Islanders. On the other hand, the DOE is required to incorporate the 9/11 Heroes' Day material into Social Studies standards for Civics and U.S. Government, which charter school students are still required to take.

What Problems or Concerns May Arise as a Result of this New Bill? As is discussed below with HB 443, there is great concern raised by the concept of public charter schools dismissing students for poor academic performance. Section 1002.33, F.S., even provides that charter schools shall fulfill the purpose of increasing "learning opportunities for all students, with special emphasis on low-performing students and reading." It seems counter-intuitive that a school that is required to serve low-performing students can then dismiss them for being low-performing. District sponsors will need to keep a close eye on this issue, making sure that their charter schools are not establishing academic standards for admission except when absolutely required for the program.

There is also some worry about the language creating a rebuttable presumption that a student who intervenes to stop a violent act was taking necessary steps to retore or maintain the safety of others. On its face, it makes perfect sense that a student can act to protect others, using reasonable force, without fear of punishment. However, this new provision codifies some specific standards and legal requirements that may complicate issues at the school. Was the amount of force used necessary? Was the student acting to restore or maintain the safety of others, or did he or she only seek to help a friend "win" an altercation only to later claim it was an effort to restore order? What sort of evidence will be needed to rebut the presumption, and who will determine that?

Similarly, there is nothing inherently wrong with requiring students to learn about September 11, 2001, or the history of Asian Americans and Pacific Islanders. The problem is that these are AMER topics that are declared to be of utmost importance, but then only some of the students

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receiving public funds for school are required to take them and no allowances are made within the same 180-day school year to make room for these new requirements.



# Student-Centered Laws

# Reading, Writing, and Arithmetic

CS/CS/HB 7039 (Ch. 23-108)

**Student Outcomes** 

By:

Representative Trabulsy

**Effective Date:** 

July 1, 2023

Approved by Governor:

May 17, 2023

What Does the Bill Do? This new law is an expansive bill addressing literacy and mathematics skills and deficiencies. The primary focus is on the required use of the Science of Reading in all aspects of public education, as well as on the expansion and early detection of both reading and mathematics deficiencies. However, the law touches on numerous topics in this focus, including school board responsibilities, parental rights, charter school requirements, VPK programs, teacher preparation programs, instructional materials, parental notification of deficiencies, the Reading Allocation, and educator certification requirements. Because of the length of the new law and all the topics it covers, any summary of it is bound to leave out some important parts. Thus, it is advised that district curriculum leaders read the <a href="mailto:new law in full">new law in full</a>.

## Official Policy of Florida re: Science of Reading

In multiple sections of the law, the Legislature includes the following, which essentially establishes Florida's official position on the Science of Reading and acceptable instructional strategies:

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

This language or versions of it are added to statutes outlining the duties of the Just Read, Florida! Office, charter school applications and curriculum requirements, VPK standards, the New Worlds Reading Initiative, instructional material evaluation and review processes, and teacher preparation program standards, to name a few.

# Mathematics Deficiencies

This law takes the Florida model for identifying and addressing reading deficiencies and expands it to include mathematics as well. Thus, district early warning systems will no longer just need to look for substantial reading deficiencies in grades K-3 but also substantial



mathematics deficiencies in grades K-4. Additionally, parents have a right to be notified of both substantial reading deficiencies (or the characteristics of dyslexia) and substantial mathematics deficiencies (or the characteristics of dyscalculia). In addition, charter schools will now need to include in their applications a description of their mathematics curriculum "and differentiated strategies that will be used for students performing at grade level or higher and a separate mathematics curriculum and strategies for students who are performing below grade level." They will be required to ensure that resources are provided to identify and provide instruction for students performing below grade level in mathematics.

## Section 1008.25, Florida Statutes

The most important part of this new law is the extensive change to section 1008.25, F.S. This is where the focus on mathematics deficiencies and establishing the Science of Reading is most apparent and has its greatest impact. Districts currently must allocate remedial and supplementary instruction resources to K-3 students with substantial reading deficiencies and students not meeting performance levels under the district's student progression plan. Now, students in grades K-4 exhibiting substantial mathematics deficiencies must also be prioritized. Also, as the law does in other sections, the references are now to substantial reading deficiency "or the characteristics of dyslexia" and substantial mathematics deficiency "or the characteristics of dyscalculia."

Individualized progress monitoring plans will now be required for either substantial reading deficiencies or substantial mathematics deficiencies. These plans will now need to identify the specific deficiency, set goals and benchmarks for student growth, describe the measures that will be used to evaluate progress, identify the specific evidence-based literacy instruction that will be offered for reading deficiencies, identify the resources that will be provided to the parent to support the student, and identify any additional services deemed available and appropriate.

For reading deficiencies and the parental notification process, the DOE will create a list of state-approved reading and intervention programs, which must be provided in addition to the regular, comprehensive core reading instruction. There will be dyslexia-specific interventions for students exhibiting the characteristics of dyslexia. When parents are notified of a substantial reading deficiency, the notice must include information about both the New Worlds Reading Initiative and the New Worlds Scholarship.

The law creates an entirely new subsection in section 1008.25, F.S., to address mathematics deficiencies and parental notification, which mirrors the requirements for reading deficiencies. Just as with Reading, students in K-4 exhibiting substantial mathematics deficiencies or the characteristics of dyscalculia need to be identified and immediately start receiving targeted interventions. Similarly, the DOE will also provide resources that districts will share with parents to help at home, including resources for dysgraphia, dyscalculia, dyslexia, and developmental aphasia.

As noted above, with so many details and changes to the existing statute, it is recommended MERI that district curriculum staff read the changes in full.



## New Worlds Scholarships

The Legislature created the New Worlds Reading Scholarship a few years ago, which awarded small scholarship amounts for students in elementary school to get tutoring to address reading deficiencies. Eligibility for this scholarship can now be based on mathematics deficiencies, so the name is being changed to the New Worlds Scholarship.

## New Worlds Reading Initiative

This program, not to be confused with the tutoring scholarship program, is the one where the parents of elementary students exhibiting reading deficiencies can sign up to have a book sent to their home every month. In addition to adding language about the science of reading, the law amends some of the district's responsibilities under the program. Although most, if not all, districts already have it in place, the law now requires that each district enter into a data sharing agreement with the Lastinger Center to allow for streamlined verification and enrollment. Also, now that there is progress monitoring all the way down to VPK, eligibility for the program has expanded from K-5 to PreK-5.

## **Funding**

The law currently provides that the Evidence-based Reading Instruction Allocation can be used to provide intensive reading interventions, but it will now add that these interventions can be delivered during, before, and after the school day.

Finally, the Legislature specifically appropriated \$158 million this year to assist districts in implementing this new law. The DOE will conduct a needs assessment to identify required changes that each district needs to make to convert from three-cueing to the Science of Reading. Funds will be released upon the submission of a detailed spending plan that is aligned with the DOE needs assessment results.

Who Is Responsible for or Affected by the Bill? Curriculum departments and elementary school teachers and leaders will be most affected by this bill, particularly in those districts that currently do not employ the Science of Reading as their primary instructional strategy. There will be a lot of new requirements, particularly at the elementary level, but all of the new requirements for substantial mathematics deficiencies should model what is already in place for substantial reading deficiencies.

How Will the Bill Be Implemented? For those districts that use three-cueing, the first step will be to discontinue the use of that strategy and start the process of purchasing materials that meet the new requirements. Fortunately, there was significant funding provided with this bill to help with this process. The DOE will be conducting a needs assessment to determine exactly which districts will need to make changes, so those districts currently employing the three-cueing method will want to reach out to the DOE for additional guidance.

With respect to all the new requirements for identifying and addressing substantial mathematics deficiencies, districts will mirror the process already in place for substantial reading deficiencies. It may be wise for elementary principals to include something about this



in an early communication to parents, as the progress monitoring system now in place for all elementary grades will allow schools to start identifying substantial deficiencies much earlier.

Also, now that students at all levels, including PreK, are taking part in the state's progress monitoring system, DOE has immediate testing results and can identify students with reading deficiencies based on those results. DOE then shares this information with the Lastinger Center, which is the administrator for the New Worlds Reading Initiative. Thus, even though districts are now required by law to enter into data-sharing agreements with Lastinger, this should actually be more about the districts receiving useful information from Lastinger than having to gather or verify data for them. Lastinger already knows who is eligible for the free book program, and it can share information with districts about which students are registered and which are not so that districts can better target their advertising about the program. For example, if 40% of eligible students in the district have registered for the free books but one school shows only 15% of the eligible students have registered, the messaging at that school might need to be changed.

Required Rulemaking? There are no new rulemaking requirements in this law, but both the SBE and individual districts may need to amend existing rules and policies to reflect these changes. This may include student progression plans and policies, school improvement policies or any other policy that may address an early warning system, promotion and retention policies, progress monitoring and remediation policies, parental notification policies, and others that may address issues involving substantial reading or mathematics deficiencies.

<u>Required Reports?</u> Districts must still submit an annual comprehensive reading plan as part of the Reading Allocation. The plan shall now include a description of "how the district prioritizes the assignment of highly effective teachers . . . to kindergarten through grade 2 and how reading coaches are assigned to individual schools." Furthermore, these two new provisions "shall be approved by the Just Read, Florida Office."

**Required Training?** Elementary teachers and administrators, reading coaches, and others will need to be advised of all the new changes. For those schools who will be switching from three-cueing to the Science of Reading, there may be additional training needs. There is not much change to the actual process of addressing students with substantial deficiencies, but many of the details have changed on top of adding mathematics deficiencies to the equation.

<u>Does the Bill Apply to Charter Schools?</u> Yes. The law specifically amends charter school application requirements and charter school curriculum requirements to address the focus on the Science of Reading and identifying and addressing mathematics deficiencies in much the same way that reading deficiencies are addressed now.

What Problems or Concerns May Arise as a Result of this New Bill? There may be a lot of work required as a result of this new law, but it is designed to identify and address reading and mathematics deficiencies as early as possible. The expansion of progress monitoring testing into grades K-2 and the exceptionally quick turnaround for obtaining test results at all grade levels should make this essential work easier for districts than it might have been just a couple of years ago.



Fortunately, the Legislature provided a significant amount of funding to assist districts who are going to have to switch their methodology from three-cueing to the Science of Reading. There are some exceptionally successful districts on the list of those who use three-cueing, so it would be extraordinarily difficult if they had to switch from something that has been successful without any financial assistance.





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title PARENT AND FAMILY INVOLVEMENT IN THE SCHOOL PROGRAM

Code \*po2111 JR 1/10/24

Status

Adopted May 1, 2002

Last Revised July 22, 2014

#### 2111 - PARENT AND FAMILY INVOLVEMENT IN THE SCHOOL PROGRAM

The Board recognizes and values parents and families as children's first teachers and decision-makers in education. The Board believes that student learning is more likely to occur when there is an effective partnership between the school and the student's parents and family. Such a partnership between the home and school and greater involvement of parents in the education of their children generally result in higher academic achievement, improved student behavior, and reduced absenteeism.

For purposes of this policy, the term "families" is used in order to include children's primary caregivers, who are not their biological parents, such as foster caregivers, grandparents, and other family members.

In cultivating partnerships with families and communities, the Board is committed to the following:

- A. Relationships with Families
  - 1. cultivating school environments that are welcoming, supportive, and student-centered;
  - 2. providing professional development for school staff that helps build partnerships between families and schools:  $^{2,3}$
  - 3. providing family activities that relate to various cultures, languages, practices, and customs, and bridge economic and cultural barriers;  $^{2,3}$
  - 4. providing coordination support and to assist schools in planning and implementing family involvement opportunities.<sup>3</sup>

### B. Effective Communication

- 1. providing information to families to support the proper health, safety, and well-being of their children;
- 2. providing information to families about school policies, procedures, programs, and activities; <sup>2,3</sup>
- 3. promoting regular and open communication between school personnel and students' family members;
- 4. communicating with families in a format and language that is understandable, to the extent practicable;  $^{2,3}$
- providing information that will enable families to encourage and support their child(ren)'s academic progress, especially in the area of reading;
- 6. providing information that will enable families to encourage and support their child(ren)'s citizenship, especially social skills and respect for others;  $^1$

AMERICA providing information that will enable families to encourage and support their child(ren)'s realization of high expectations and setting life-long learning goals; 1

- 8. providing information and involving families in monitoring student progress; 3
- 9. providing families with timely and meaningful information regarding Florida's academic standards, State and local assessments, and pertinent legal provisions; <sup>2,3</sup>
- 10.  $\frac{1}{7}$  preparing families to be involved in meaningful discussions and meetings with school staff.  $^{2,3}$

## C. Volunteer Opportunities

- 1. providing volunteer opportunities for families to support their children's school activities; 1,3
- 2. providing a District-wide volunteer program to encourage families and schools to cooperate and join in volunteer efforts.
- 3. supporting other needs, such as transportation and child care, to enable families to participate in school-sponsored family involvement events.

#### D. Learning at Home

- 1. offering training and resources to help families learn strategies and skills to support at-home learning and success in school;  $^{1,2,3}$
- 2. working with families to establish learning goals and help their children accomplish these goals; <sup>1</sup>
- 3. helping families to provide a school and home environment that encourages learning and extends learning at home.  $^{1,2}$

#### E. Involving Families in Decision Making and Advocacy

- 1. involving families as partners in the process of school review and continuous improvement planning;  $^3$
- 2. involving families in the development of its District-wide parent involvement policy and plan, and distributing the policy and plan to families.  $^{2,3}$
- 3. involving families as participants in school decisions and advocacy through PTA/PTO, school councils, committees, action teams and/or other parent organizations.

## F. Collaborating with the Community

- 1. building constructive partnerships and connecting families with community-based programs and other community resources;  $^{2,3}$
- coordinating and integrating family involvement programs and activities with District initiatives and community- based programs that encourage and support families' participation in their children's education, growth, and development. 2,3

## **Implementation**

The Board will engage parents, families and community members in a partnership in support of each student's academic achievement, the District's continuous improvement, and individual school improvement plans. The Board will annually evaluate, with the involvement of parents and families, the effectiveness of the District's parent involvement program and make adjustments as necessary.

Pursuant to State law, the Superintendent shall develop and annually disseminate a parent guide to successful student achievement, consistent with the guidelines of FLDOE, which address what parents need to know about their child's educational progress and how parents can help their child(ren) achieve in school.

1 Indicates Florida Statutory Requirements

<sup>2</sup>Indicates IDEA 2004 Section 650 & 644 parent involvement requirements

<sup>3</sup>Indicates Title I Section 1118 parent involvement requirements

Revised 11/18/03
Reivsed 7/22/14

#### **Implementation**

- A. A procedure for parents to learn about their child's course of study, including supplementary educational materials. See also Policy 2220, *Adoption of Courses of Study*; Policy 2521, *Instructional Materials Program*.
- B. A procedure for parents to object to instructional materials and other materials used in the classroom. Objections may be based on beliefs regarding morality, sex, and religion, or on the belief that such materials are harmful. See also Policy 2520, Selection and Adoption of Instructional Materials.
- C. A procedure for parents to withdraw their child from any portion of the comprehensive health education that relates to sex education or instruction in acquired immune deficiency syndrome (AIDS) education or any instruction regarding sexuality if the parent provides a written objection to their minor child's participation. Procedures must provide for parents to be notified in advance of such course content so that they may withdraw their minor child from those portions of the course. See also Policy 2417, Comprehensive Health Education.
- D. A procedure for parents to learn about the nature and purpose of clubs and activities offered at their minor child's school, including those that are extra-curricular or part of the school curriculum.
- E. Procedures for parents to learn about parental rights and responsibilities under general law, including:
  - To opt their minor child out of any portion of the District's comprehensive health education that relates to sex education instruction in AIDS education or any instruction regarding sexuality. See also Policy 5780, Student/Parent Rights.
  - 2. A plan to disseminate information about school choice options, including open enrollment. See also Policy 5121, Controlled Open Enrollment.
  - 3. To exempt their child from immunizations. See also Policy 5320, Immunizations and Health Examination.
  - 4. To review Statewide, standardized assessment results. See also Policy 2623, Student Assessment.
  - 5. To enroll their child in gifted or special education programs. See also Policy 2460, Exceptional Student Education.
  - 6. To inspect District instructional materials. See also Policy 2521, Instructional Materials Program.
  - 7. To access information relating to the District's policies for promotion or retention, including high school graduation requirements. See also Policy 5410.01, *Promotion, Acceleration, Placement and Retention*, and Policy 5460, *Graduation Requirements*.
  - 8. To receive a school report card and to be informed of their minor child's attendance requirements. See also Policy 5200, *Attendance*, and Policy 5420, *Reporting Student Progress*.
  - 9. To access information relating to the State public education system, State standards, report card requirements, attendance requirements, and instructional materials requirements.
  - 10. To participate in parent-teacher associations and organizations that are sanctioned by the Board or the Department of Education. See also Policy 5780, Student/Parent Rights.
  - 11. To opt out of any District-level data collection relating to their minor child not required by law. See also Policy 2605, Research and Evaluation.

The information required in this policy may be provided electronically or by posting on the District's or school's website.

The plan will provide for annual evaluation, with the involvement of parents and families, of the plan's effectiveness and identification of barriers to participation by parents and families. Evaluation findings will be used in the annual review of the Parent and Family Involvement policy and to improve the effectiveness of the District plan.

Pursuant to State law, the Superintendent shall develop and annually disseminate:

- A. a parent guide to successful student achievement, consistent with the guidelines of FLDOE, which address what parents need to know about their child's educational progress and how parents can help their child(ren) achieve in school; and
- B. a checklist of parental actions that can strengthen parental involvement in their child's educational progress, consistent with the guidelines of FLDOE, to focus on academics, especially reading, high expectations for students, citizenship and communication.

 $^{
m 1}$ Indicates Florida Statutory Requirements

<sup>2</sup>Indicates IDEA 2004 Section 650 & 644 parent involvement requirements

## Revised 1/10/24

## © Neola 20<del>12</del>23

Legal <u>F.S. 1000.03</u>

F.S. 1002.23

Last Modified by James Rehmer on January 10, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title SCHOOL ADVISORY COUNCILS FOR SCHOOL IMPROVEMENT AND ACCOUNTABILITY

Code \*po2125 JR 1/10/24

Status

Adopted May 1, 2002

Last Revised July 22, 2014

#### 2125 - SCHOOL ADVISORY COUNCILS FOR SCHOOL IMPROVEMENT AND ACCOUNTABILITY

Florida statutes provide that each advisory council shall be composed of the principal and an appropriately balanced number of teachers, education support employees, students, parents, and other business and community citizens who are representative of the ethnic, racial, and economic community served by the school, provided that vocational-technical center and high school advisory councils shall include students, and middle and junior high school advisory councils may include students. A majority of members of each council must be persons not employed by the School District. A simple majority is defined as fifty-one percent (51%) of the membership or one-half (1/2) of the number of members plus one (1). The number of parent representatives shall at least be equal to the number of teacher representatives.

The Board shall review the membership composition of each advisory council. School advisory councils for school improvement and accountability will comply with procedures set forth in Florida statutes and Florida State Board of Education Administrative Rules.

#### **Membership**

Council members representing teachers, education support employees, students, and parents shall be <u>elected</u> by their respective peer groups at the school in a fair and equitable manner.

Business and other community members shall be <u>selected</u> by the school according to the written procedures for the school advisory councils for school improvement and accountability.

#### **Election of Members**

Advisory councils shall include the following procedures for elections:

- A. Advance notice of election with a specific election date and an opportunity for write-in nominations and ballots for those unable to be present at the election;
- B. Ample advance notice will be given for nominations of all interested persons in the following categories **before** elections are held;
- C. Teachers shall be elected by teachers;
- D. Education support employees shall be elected by education support employees;
- E. Students shall be elected by students; and
- F. Parents shall be elected by parents.

## **Participation of Members**

#### **Duties**

- A. School Improvement Plans Process Florida's System of School Improvement and Accountability
  - 1. Each school advisory council shall assist in the preparation and evaluation of the school improvement plan. The plan shall be based on an analysis of student achievement and other school performance data. School improvement plans are submitted to the Board for approval. Any District review or revision of the school improvement plan in preparation for presentation to the Board must be done with the collaboration and approval of the school advisory council.
  - 2. The Board approves or declines to approve each plan. If all plans are approved, the Superintendent and Board Chairman certify to the Commissioner of Education that the plans have been approved for the coming year together with any necessary report that a school has not made adequate progress. The plans themselves are not submitted to the Commissioner.
  - 3. If a Board declines to approve a plan, in returning the plan to the school advisory council for revision it must state: (a) the elements within the plan it found to be problematic, and (b) recommendations for change which would enable the plan to be approved. The school advisory council is to then take the comments of the Board and consider revising and resubmitting the plan based upon the Board feedback. The Board then approves or disapproves any revision.
  - 4. If the school advisory council determines that the Board's suggested changes are not consistent with their goals and/or does not desire to modify the plan, then the council and Board are asked to mutually agree to use a dispute resolution process. The Board is strongly encouraged to involve representatives of all the stakeholders in developing such a dispute resolution rule, and to offer the broadest range of options.
  - 5. The dispute resolution process is implemented in an effort to resolve the conflict. If the conflict is not resolved, then formal notice is given by the Board to the Department of Education that additional assistance will be required. The school advisory council may also notify the Department of Education.

## B. Conflict/Dispute Resolution Process

Should the Board decide not to approve a plan, in returning the plan to the school advisory council, the Board shall state the elements within the plan found to be problematic and recommend changes. The school advisory council shall consider revising and resubmitting the plan based upon the Board's feedback. The Board shall approve or disapprove the school improvement plan. A plan that still does not receive Board approval shall be reviewed by a mediation committee.

- 1. The mediation committee shall be composed of the school principal, the advisory council chairperson or designated school advisory council member, Board Chairman or designated Board member, the Superintendent or designee, and a facilitator to be mutually agreed upon by the committee members.
- 2. The mediation committee shall work with the school advisory council to reach resolution.
- 3. Upon resolution the school advisory council shall submit the revised school improvement plan to the Board for approval in accordance with State mandated deadlines.
- 4. Should the Board not approve the school improvement plan after exhausting this process, the Department of Education shall be notified of the need for assistance. The school advisory council may also notify the Department of Education.

## C. Annual Budget

With technical assistance from the Department of Education, each school advisory council shall assist in the preparation of the school's annual budget and plan. A portion of funds provided in the annual General Appropriations Act for use by school advisory councils must be used for implementing the school improvement plan.

## D. School Recognition Funds

Should the school qualify for school recognition funds, the school advisory council shall participate in the determination of how these funds will be distributed in accordance with F.S. 1008.36. School recognition funds "must be used for purposes listed in F.S. 1008.36 as determined jointly by the school staff and school advisory council".

## Revised 7/22/14 Revised 1/10/24

## © Neola 2010

Legal <u>F.S. 1001.41</u>

F.S. 1001.42 F.S. 1001.452

Last Modified by James Rehmer on January 10, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title INSTRUCTIONAL PLANNING

Code \*\*po2205 1/12/24 rrs; PG 1-19-24

Status

Adopted May 1, 2002

Last Revised October 23, 2018

## 2205 - INSTRUCTIONAL PLANNING

The Board believes that the instructional program of the Brevard County Public Schools must seek to help each student to develop emotionally, aesthetically, intellectually, morally, physically, socially, and vocationally to the fullest of his/her abilities as consistent with the established mission, philosophy, and goals and objectives of the District.

Revised 10/23/18

1001.11 1008.395

Legal <u>F.S. 1001.41</u>

Last Modified by Ronna Schindler on January 22, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title CURRICULUM DEVELOPMENT

Code \*\*po2210 RR 12-1-23; PG 12-19-23

Status

Adopted May 1, 2002

Last Revised October 24, 2023

#### 2210 - CURRICULUM DEVELOPMENT

I. The Board recognizes its responsibility for the quality of the educational program of the schools. As the educational leader of the District, the Superintendent shall be responsible to the Board for the development and evaluation of curriculum and the preparation of courses of study. The appropriate personnel, materials, and supplies for curriculum exploration, development, and implementation shall be coordinated by the Superintendent. Necessary funds shall be budgeted for accomplishing these tasks.

- II. For purposes of this policy and consistent communication throughout the District, curriculum shall be defined as:
  - A. the courses of study, subjects, classes, and organized activities provided by the school;
  - B. all the planned activities of the schools, including formal classroom instruction and out-of-class activity, both individual and group;
  - C. learning activities approved by the Board for individuals or groups of students and expressed in terms of specific instructional objectives or class periods;
  - D. the plan for learning necessary to accomplish the educational goals of the District;
  - E. all the planned activities of the schools, including formal classroom instruction and out-of-class activity, both individual and group, necessary to accomplish the educational goals of the District.
- III. The Board directs that the curriculum of this District:
  - A. provides instruction in courses required by statute and State Department of Education regulations;
  - B. be consistent with the District's philosophy and goals and ensure the possibility of their achievement;
  - C. allows for the development of individual talents and interests as well as recognize that learning styles of students may differ;
  - D. provides for continuous and cumulative learning through effective articulation at all levels;
  - E. utilizes a variety of learning resources to accomplish the educational goals;
  - F. encourages students to utilize guidance and counseling services in their academic and career planning.

IV. The Superintendent shall make progress reports to the Board periodically.

V. System of Comprehensive Reading Instruction

The District will implement a system of comprehensive reading instruction for students enrolled in prekindergarten through grade 12 and certain students who exhibit a substantial deficiency in early literacy. Annually, the Superintendent will develop and submit to the Board for approval a detailed reading instruction plan that outlines the components of the District's comprehensive system of reading instruction. The plan will also describe how the District prioritizes the FL-BREVARD-23-1239-A-000332

assignment of highly effective teachers, as identified in F.S. 1012.34, to kindergarten through grade 2 and how reading coaches are assigned to individual schools. These two (2) provisions shall be approved by the Just Read, Florida Office. Once approved, the reading instruction plan will be submitted to the Florida Department of Education.

#### VI. Innovative Programs

A. The Superintendent may conduct such innovative programs as are deemed to be necessary to the continuing growth of the instructional program and to better ensure accomplishment of the District's educational goals.

VII. The Superintendent shall report each such innovative program to the Board along with its objectives, evaluative criteria, and costs.

VIII. The Board encourages, where it is feasible and in the best interest of the District, participation in programs of educational research.

IX. The Board encourages the Superintendent to consider State or Federally developed programs for meeting local needs. This may also include consideration of outstanding programs from other districts in the State. The Board directs the Superintendent to pursue actively State and Federal aid in support of the District's innovative activities.

F.S. 1001.11

1001.41

1001.42.

1001.51

1003.4201

1006.28

1008.22

1008.34

1012.27

Chapter I of Education Consolidation and Improvement Act of 1981

P.L. 97-35

## Revised 12-1-23 R. Rutledge

Legal <u>F.S. 1001.11</u>

F.S. 1001.41

F.S. 1001.42

F.S. 1001.51

F.S. 1006.28

F.S. 1008.22

F.S. 1003.4201

F.S. 1008.34

F.S. 1012.27

Chapter I of Education Consolidation and Improvement Act of 1981

P.L. 97-35

Last Modified by Paul Gibbs on December 19, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title COURSE GUIDES

Code \*\*po2230 12/19/23 TH; PG 12-20-23

Status

Adopted May 1, 2002

Last Revised December 10, 2018

#### 2230 - COURSE GUIDES

The Board recognizes that there may be a need, from time to time, to augment one or more segments of a course of study with a guide in order to better accomplish learning results with students.

As appropriate to the course of study, each guide shall contain:

- A. the intended learning outcome(s), defined in terms of how the learning is applied;
- B. knowledge, skills, attitudes, and values needed to achieve those outcomes;
- C. learning activities needed to achieve the outcome;
- D. appropriate materials and resources;
- E. suggested methods of instruction;
- F. evaluation criteria, standards, and methods which will confirm the extent to which learning outcomes have been achieved;
- G. a list of supplemental materials for the guidance of teachers;
- H. the identification of State required curriculum and topics.

The Superintendent shall be responsible for the preparation of course guides and may establish administrative procedures related to their preparation. All new course guides and revisions of existing guides shall be submitted to the Board for approval.

Revised 12/10/18

## © Neola 2002

Legal <u>F.S. 1003.41</u>

F.S. 1003.42

Last Modified by Paul Gibbs on December 20, 2023







Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title CONTROVERSIAL ISSUES

Code \*po2240 JR 1/12/24

Status

Adopted May 1, 2002

Last Revised October 9, 2018

#### 2240 - CONTROVERSIAL ISSUES

The Board recognizes that the consideration of controversial issues has a legitimate place in the instructional program and activities of the schools.

Properly introduced and conducted, the consideration of such issues can help students learn to identify important issues, explore fully and fairly all sides of an issue, weigh carefully the values and factors involved, and develop techniques for formulating and evaluating positions.

For purposes of this policy, a controversial issue is a topic on which opposing points of view have been promulgated by responsible opinion or likely to arouse both support and opposition in the community. Study and discussion of such issues shall be objective and impartial and within the appropriate context of the District's instructional programs and activities.

The Board will permit the introduction and proper educational use of controversial issues provided that their use in the instructional program:

- A. is related to the instructional goals of the course of study and level of maturity of the students;
- B. does not tend to indoctrinate or persuade students to a particular point of view;
- C. encourages open-mindedness and is conducted in a spirit of scholarly inquiry.

Controversial issues related to the program may be initiated by the students themselves provided they are presented in the ordinary course of classroom instruction and it is not substantially disruptive to the educational setting.

Controversial issues may not be initiated by a source outside the schools unless the principal has given prior approval.

The Board recognizes that a course of study or certain instructional materials may contain content and/or activities that some parents/legal guardians find objectionable. A parent/legal guardian, after personal review of the program lessons and/or materials, may indicate in writing to the school that either the content or activities conflicts with his/her religious beliefs or value system. The school will consider the written request for the student to be excused from a particular class for specified reasons. However, the student will not be excused from participating in the course and will be provided alternate learning activities during times that the parent/legal guardian requested absences for such.

When required by law or otherwise deemed appropriate by staff or administrator, parents/legal guardians shall be notified prior to instruction related to any controversial issue. Parent/Legal guardian consent shall be obtained for student participation.

A student whose parent/legal guardian declines such instruction may be offered the option to participate in an alternative activity of similar value.

A student or parent/legal guardian with concerns regarding instruction about controversial issues may communicate directly with staff or school's principal.

The Superintendent shall develop and update as needed administrative procedures to implement this policy. The Superintendent shall develop administrative procedures for dealing with controversial issues and with parental concerns about program content or the use of particular materials. Furthermore, the Superintendent shall prepare administrative procedures detailing the manner in which students and parents will be adequately informed each year regarding their right to inspect instructional materials and the procedure for completing such an inspection.

Revised 3/25/03 Revised 10/9/18 Revised 1/12/24

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Legal 20 U.S.C. 1232h

Last Modified by James Rehmer on January 12, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title Innovative Programs

Code \*\*po2250 RR 12-1-23; PG 12-19-23

Status

## INNOVATIVE PROGRAMS

I. The School Board wishes to promote the continued improvement of the instructional and curricular program of the schools through all appropriate means. The Board will encourage members of the school staff and of the student body who wish to pursue a promising program for school improvement.

- II. An innovative program design shall address the steps below when appropriate to the project:
- A. Rationale
- B. Specific objectives
- C. Supportive research
- D. Budgeting
- E. In-service requirements
- F. Assessment of the learning
- G. Plans for broader implementation
- H. Methods for program evaluation
- III. Each innovative program shall be consistent with the District's objectives and long-range plans. Programs designed for disabled students must comply with Federal and State procedures.

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Last Modified by Paul Gibbs on December 19, 2023







Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title TITLE I SERVICES

Code \*\*po2261 11/29/23 MC;PG 12-19-23

Status

Adopted May 1, 2002

Last Revised July 22, 2014

#### 2261 - TITLE I SERVICES

The School Board elects to augment the educational program of educationally disadvantaged students by the use of Federal funds and in accordance with Title I of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act.

The Superintendent shall prepare and present to the Department of Education a plan for the delivery of services which meets the requirements of the law, including those described below. The plan shall be developed by appropriate staff members and parents of students who will be served by the plan.

## A. Assessment

Assessment shall be the same as the assessment for all students in the District.

## B. Scope

Funds will be used to upgrade the educational program of an entire school in Title I schools that qualify as schoolwide schools and/or to establish or improve programs that provide services only for eligible students in greatest need of assistance. The schoolwide program, for an entire school and/or a Targeted Assistance School shall include the components required by law as well as those agreed upon by participating staff and parents.

#### C. Participation

The Title I program shall be developed and evaluated in consultation with parents and professional staff members, including teachers, principals, other school leaders, paraprofessionals, specialized instructional support personnel, charter school leaders, administrators, and parents involved in its implementation. Appropriate training will be provided to staff members who provide Title I services. Parent participation shall be in accord with Federal requirements.

## D. Supplement not Supplant and Comparability of Services

Title I funds will be used only to supplement, not to supplant, State and local funds. The District will document its compliance with the supplement not supplant provisions by using a written methodology that ensures State and local funds are allocated to each school on the same basis, regardless of whether a school receives Title I funding. The Superintendent shall use State and local funds to provide educational services in schools receiving Title I assistance that, taken as a whole, are at least comparable to services being provided in schools that are not receiving Title I assistance.

The determination of the comparability of services may exclude, State and local funds for language instruction educational programs and the excess costs of providing services to children with disabilities as determined by the District. in accordance with Federal regulations, State and local funds spent on compensatory education programs, bilingual education programs, and programs for educationally disabled students. The determination of comparability will not take into account unpredictable changes in student enrollments or personnel assignments.

The determination of comparability will not take into account unpredictable changes in student enrollments or personnel assignments that occur after the beginning of a school year in the determinant of the beginning of a school year in the beginning of a school year.



- E. In order to achieve comparability of services, the Superintendent shall assign teachers, administrators, and auxiliary personnel, and provide curriculum materials and instructional supplies in such a manner as to ensure equivalence throughout the District.
- F. E. Professional Development

The Superintendent may shall develop administrative procedures whereby members of the professional staff may participate in the design and implementation of staff development activities that meet the requirements of Section 1119 of the Act and:

- 1. (x) involve parents in the training, when appropriate;
- 2. (x ) draw on combine and consolidate other available Federal and District resources; funds, when permissible, and District funds
- 3. (x) foster cooperative training with institutions of higher learning and other educational organizations including other school districts;
- 4. (x ) allocate part of the staff development to the following types of strategies:
  - a. (x) use of student assessment;
  - b. (x ) use of technology;
  - c. (x ) working effectively with parents;
  - d. (x ) early childhood education;
  - e. (x) meeting children's special needs;
  - f. (x ) fostering gender-equitable education.
- 5. (x) provide opportunities for paraprofessionals to work toward licensing as professional educators.
- G. Simultaneous Services

In accordance with law, a school offering Title I services may also serve other students with similar needs.

Revised 7/22/14

© Neola 2002

Legal

20 U.S.C. 2701 et seg., Elementary and Secondary Education Act of 1965

Last Modified by Paul Gibbs on December 19, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title ANNUAL REPORT REQUIREMENTS

Code \*\*po2261.03 12/08/2023 MC; PG 12-20-23

Status

Adopted May 1, 2002

Last Revised July 22, 2014

### 2261.03 - ANNUAL REPORT REQUIREMENTS

The Board must annually report to the parent of each student the progress of the student toward achieving State and District expectations for proficiency in reading, writing, science, and mathematics. The evaluation of each student's progress must be based upon the student's classroom work, observations, tests, District and State assessments, and other relevant information. Progress reporting must be provided to the parent in writing in a format adopted by the Board. The Board must report to the parent the student's results on each Statewide assessment test.

The Board must annually publish on the District website and in the local newspaper the following information on the prior school year:

- A. Information relating to public school student progression and the Board's policies and procedures on student retention and promotion.
- B. By grade, the number and percentage of all students in grades 3 through 10 performing at Levels 1 and 2 on the reading portion of the FCAT.
- C. By grade, the number and percentage of all students retained in grades 3 through 10.
- D. Information on the total number of students who were promoted for good cause, by each category of good cause.
- E. Any revisions to the Board's policy on student retention and promotion from the prior year.

In any year that the District receives Title I finding, its annual report annual Report Card to the State will include the following information: including the SPAR report, must be disseminated and made publicly available annually, not later than the beginning of the school year. It will include:

- A. student achievement data, disaggregated by category number and percentage of schools identified for school improvement and how long they have been in that category
- B. graduation rates achievement on statewide academic assessments, comparing the District and the State as a whole
- C. performance of the District and schools for each school
  - 1. whether it has been identified for school improvement and, if so, for how many years, and
  - 2. comaprison of the school's student achievement on the Statewide achievement assessments and other adequate yearly progress indicators to those students in the District and the State as a whole
- D. teacher qualifications
- E. other information required by State Board rule or statute.

This information must also be disseminated annually, not later than the beginning of the school year, to all buildings and all parents, and make the information widely, publicly available through such means as posting on the Internet and distribution to local media and public agencies. distribution to parents should be in an understandable format and in a FL-BREVARD-23-1239-A-000342

language that parents can understand. This report to parents may be included with the student report cards at the end of the year if all students receive report cards.

Revised 4/10/07 Revised 7/22/14

#### © Brevard 2014

Legal <u>20 U.S.C. 6311</u>

F.S. 1001.42 F.S. 1008.25 F.S. 1008.33 F.S. 1008.34 F.S. 1008.341 F.S. 1008.345

Section 1111(h)(1) and (2), ESEA

Last Modified by Paul Gibbs on December 20, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title RELIGION IN THE CURRICULUM

Code \*\*po2270 12/14/23 TH; PG 12-19-23

Status

Adopted May 1, 2002

Last Revised May 13, 2003

#### 2270 - RELIGION IN THE CURRICULUM

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

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

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

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

Accordingly, no student shall be exempted from attendance in a required course of study on the grounds that the instruction therein interferes with the free exercise of his/her religion. However, if after careful, personal review of the program's lessons and/or materials, a parent indicates to the school that either the content or activities conflict with his/her religious beliefs or value system, the school will honor written request for his/her child to be excused from a particular class period(s) for specified reasons. The student will be provided with alternate learning activities during the times of such parent requested absence.

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

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

The superintendent shall develop and update as needed administrative procedures to implement this policy.

Revised 5/13/03



F.S. 1003.45





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title ARTICULATION AND ACCESS TO FLORIDA COLLEGE SYSTEMS INSTITUTIONS

Code \*\*po2271 12/14/23 TH; PG 12-19-23

Status

Adopted May 1, 2002

Last Revised July 22, 2014

# 2271 - POSTSECONDARY ENROLLMENT PROGRAMS ARTICULATION AND ACCESS TO FLORIDA COLLEGE SYSTEMS INSTITUTIONS

## **Postsecondary Enrollment Programs**

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

The Board will approve participation by students in grades 10, 11, and 12 who meet the State Board of Education's criteria, to enroll in approved postsecondary programs while in attendance in the District. Students will be eligible to receive secondary credit for completing courses contained in any of these programs. Such credit will count toward graduation requirements.

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

No minor student may participate without the written consent of parent(s)s and or legal quardian(s), and the high school principal.

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

The Superintendent shall establish the necessary administrative procedures to comply with State law which will thereafter be properly communicated to both students and their parents.

The postsecondary education institutions will assign a letter grade for the student's work in the course, and the District will be responsible for posting dual enrollment course grades as assigned by the postsecondary institution to the high school transcript. The Superintendent shall also establish procedures for the awarding of credit and the proper entry on a student's transcript and other records of his/her participation in a postsecondary program.

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

The Board, in conjunction with Florida College System institutions, shall establish one (1) or more early college structured high school accelerated programs. When creating an early college program, the Board shall execute a contract with a local Florida College System institution that contains all the requirements set forth in F.S. 1007.273. The program shall be established a mutually agreeable location. Each contract must be executed by January 1st of each school year for implementation during the next school

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

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

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

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

A. expanded curriculum offerings;

B. opportunities to study in more depth those areas of special interest or need;

C. opportunities to earn college credits while still in high school;

D. opportunities for financial support for taking college courses while still in high school; and,

E. opportunities to experience college-level work and life prior to making final decisions about whether and/or where to attend college.

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

A. increased student responsibility for learning because of less instructional guidance;

B. reduced opportunities to participate in high school co-curricular and extra-curricular activities;

C. increased financial obligations for tuition, books, materials, and fees, if college credit only is sought;

D. potential loss of after-school employment opportunities;

E. possible effect on grade point average and class standing;

F. possible delay of graduation;

G. increased time for travel, study, etc.; and,

H. exposure to mature subject matter and materials, including those of a graphic, explicit, violent, or sexual nature that will not be modified because of the student's participation.

The Superintendent shall develop and update as needed administrative procedures to implement this policy.

Revised 7/22/14

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

Districts

F.S. 1008.44

F.S. 1007.273

F.S. 1007.27



## F.S. 1007.271

Last Modified by Paul Gibbs on December 19, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title Physical Education

Code \*po2280 JR 1/12/24 NEW

Status

#### 2280 - PHYSICAL EDUCATION

The School Board recognizes the value of physical education to the maintenance of the health and vitality of all students, as well as to the development of life-long habits that will enhance personal fitness and wellness and has available to students one-on-one counseling concerning the benefits of physical education.

Therefore, it shall be the policy of the Board that opportunities for physical education that are consistent with the Florida Early Learning Services Birth to Five standards for physical development shall be available to all students in Pre-Kindergarten. Students in kindergarten through grade five (5) shall be provided 150 minutes of physical education, as defined in State law, each week. Students in grade six who are enrolled in a school with students in Kindergarten through grade five shall also be provided 150 minutes of physical education as defined in State law each week.

In addition to the requirements for physical education, the Board will provide at least 100 minutes of supervised, safe, and unstructured free-play recess each week for students in kindergarten through grade 5 so that there are at least twenty (20) consecutive minutes of free-play recess per day.

For students in a middle school, which has enrolled students in grades six through eight, each student is required to complete two semesters one (1) class period for one (1) semester per school year of physical education.

Students in grades nine (9) through twelve (12) shall be required to earn a minimum of <a href="mailto:credits in physical education"><u>credits in physical education</u></a> (at least one (1) credit in HOPE.

The physical education curriculum in this District shall be in accord with standards established by the Department of Education, as well as those recommended by the National Association of Health, Physical Education, and Recreation.

Physical education instruction shall include activities requiring at least a moderate level of physical exertion and duration sufficient to provide a health benefit for the participants. When planning the required activities, the instructor shall consider the different capabilities of the students and adapt the plans accordingly.

Furthermore, the outcomes of the physical education program in this District shall stress physical fitness and encourage the development of a healthy, active life style. Specific grade level outcomes shall be established annually in each school's school improvement plan.

Each student's parents shall be notified by the Student Progression Plan of the options available to waive participation in physical education prior to the placement of physical education on a student's schedule. A student must meet one (1) of the following criteria to be available for waiver from the required physical education class:

- B. the student's parent indicates in writing to the school that:
  - 1. the parent requests that the student enroll in another course from among those courses offered as options by the School District; or
  - 2. the student is participating in physical activities outside the school day which are equal to or in excess of the mandated requirement.
- Provision shall be made at all levels to excuse individual students from specific activities if direction to do so is received, in writing, from the student's physician.
- [ ] Students may be excused from specific activities if those activities are contrary to their religious beliefs. A request to excuse a student from such activities must be received in writing from the student's parent or from the eligible student.

If one (1) of the above criteria is met and the parent has notified the District, the student will not have physical education placed on their schedule for that ensuing school year.

Additionally, each student's parents will be notified by the Student Progression Plan as follows:

- A. A student can fulfill one (1) unit of credit in physical education by participating in interscholastic sports at the junior varsity or varsity level for two (2) full seasons and passing the State developed competency test on physical fitness with a score of "C" or better.
- B. Completion of two (2) years in a Reserve Officer Training Corps (R.O.T.C.) class, a significant component of which is drills, shall satisfy the one (1) credit requirement in physical education and the one (1) credit requirement in performing arts.
- C. aking a marching band class, a physical activity class, or a dance class or by completing two (2) years of JROTC will not be a substitute for the personal fitness or adaptive physical education requirements required by Florida law.

The Superintendent shall annually appoint (number) individuals to serve on the District's Physical Education Committee. The committee will include educational staff (including physical education teachers), school health professionals, members of the public, and school administrators and will oversee the implementation, evaluation, and periodic update, if necessary, of the physical education policy.

[ ] The Superintendent shall be an ex officio member of the committee.

The physical education committee will be responsible for accomplishing the following:

- A. review data about the implementation of the District's physical education policy in each of the District's schools;
- B. review the District's current physical education policy;
- C. conduct a meeting at which public input may be provided with regard to revisions needed to the physical education policy; and
- D. recommend revision of the policy, as necessary.

Before the end of each school year the physical education committee shall submit to the Superintendent and Board their report in which they describe the implementation of the physical education policy in each school, and identify any revisions to the policy the committee deems necessary.

The Superintendent shall report annually to the Board on the work of the physical education committee, including their evaluation of the implementation of the physical education policy District-wide, and the areas for improvement, if any, that the committee identified. The Superintendent shall also recommend any revisions deemed necessary to the policy for the Board's consideration and adoption.

If revisions to the physical education policy are recommended and adopted, the Superintendent shall submit the revised policy to the Department of Education, as required by State law.

## Revised 1/12/24

Legal 1003.4282

1003.4551003.453

Last Modified by James Rehmer on January 12, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title EDUCATIONAL OPTIONS

Code \*\*po2370 RR 12-1-23; PG 12-19-23

Status

Adopted May 1, 2002

Last Revised July 22, 2014

#### 2370 - EDUCATIONAL OPTIONS

A. The Board recognizes the need to provide alternative means by which students achieve the goals of the District.

B. The District will provide students with access to courses available through a virtual instruction program provided by the District, the Florida Virtual School, and/or other approved providers and award credit for successful completion of such courses. The virtual instruction option shall consist of full-time and part-time virtual instruction for students enrolled in kindergarten through grade 12.

C. The Superintendent shall prepare a plan of educational options for use in meeting special needs. Such options may include, but not be limited to, distance learning, on-line coursework, correspondence courses, summer school, early college admission, dual enrollment, credit by exam, etc.

Credit may be granted to the student upon complete evaluation of the program. The credit shall be placed on the student transcript.

The Superintendent shall develop and update as needed administrative procedures to implement this policy.

- D. A student may explore all educational options available in the District by completing and submitting an application to the District. Upon review and determination that the student meets all program eligibility requirements, the student will be permitted to participate in the selected program.
- E. Prior permission of a parent or guardian shall also be required before a student under age eighteen (18) participates in one (1) of the available educational options.
- F.Participation in an educational option shall be in accordance with an instructional plan which will be developed based on the individual student's needs. The instructional plan will include:
- 1. instructional objectives that align with District's curriculum requirements;
- 2. a description of the criteria and method for assessing student performance;
- 3. an outline of specific instructional activities, materials, and learning environments.
- G. Participation must be subject to the oversight of a credentialed teacher who will review the instructional plan, provide or supervise instruction, and evaluate student performance.
- 1. Student performance shall be evaluated as either pass or fail relative to the instructional objectives set forth in the instructional plan; letter grades shall not be awarded.
- 12. Student performance shall be evaluated as either pass or fail, or by awarding letter grades relative to the instructional objectives set forth in the instructional plan.
- 2<u>3. Credit shall be granted to the student upon successful completion of the program. The credit shall be placed on the student transcript.</u>
- 34.Credits earned from educational options may be counted toward graduation requirements in accordance with applicable State law and administrative code.

A maximum of \_\_\_\_\_ credits earned from educational options may be counted toward graduation requirements.

A maximum of credits earned from educational options may be counted toward the student's "Core Curriculum" requirements.

H. The Superintendent shall develop the administrative procedures necessary to implement this policy.

# Revised 11/29/23

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Legal F.S. 1001.43

F.S. 1001.42

<u>F.S. 1002.20(6)</u>

F.S. 1002.3105

F.S. 1002.321

F.S. 1002.37

F.S. 1003.4295

F.S. 1007.271

F.S. 1007.273





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title HOPE SCHOLARSHIPS

Code \*\*po2371 12/14/2023 PF; PG 12-19-23

Status

Adopted February 11, 2020

Last Reviewed April 25, 2023

## 2371 - HOPE SCHOLARSHIPS

### A. Hope Scholarship Generally.

Students subjected to an incident of violence or bullying at school have the opportunity to seek a transfer to another District school with capacity or request a scholarship to attend an eligible private school.

### B. Eligibility.

Contingent upon availability, and on a first-come, first-served basise, a student in grade K-12 is eligible for a Hope Scholarship if it is established that the student was subjected to, and subsequently reported to the principal or designee, any of the following incidents (as set forth in F.S. 1002.40(3)) at school, on a school bus, at a school bus stop, at a school related/sponsored program or activity, or at any other school location:

- 1. battery;
- 2. harassment (see Policy 5517.01 Bullying and Harassment);
- 3. hazing (see Policy 5516 Student Hazing);
- 4. bullying (see Policy 5517.01 Bullying and Harassment);
- 5. kidnapping;
- 6. physical attack;
- 7. robbery;
- sexual offenses (including harassment, assault, or battery) (see Policy 2266-Non-discrimination on the Basis of Sex in Education and Activities 5517 Anti Harassment, Compliance Officers, Complaint and Investigation Procedures);
- 9. threat or intimidation; or
- 10. fighting.

# C. Investigation and Parent/Legal Guardian Notification of Hope Scholarship Program.

1. Upon receipt of a report from a student of any of the incidents set forth herein, the principal or designee shall provide a copy of the report to the parent/legal guardian of the student and investigate the incident within fifteen (15) days to determine if the incident must be reported to the Florida Department of Education's (FLDOE) Automated Student Information System.

- 2. Within twenty-four (24) hours after receipt of the report, the principal or designee shall provide a copy of the report to the parent/legal guardian of the alleged offender and to the superintendent or designee.
- 3. Upon conclusion of the investigation or within fifteen (15) days after the incident was reported, whichever occurs first, into any of the incidents set forth herein, the District shall notify the parent/legal guardian of the existence of the Hope Scholarship Program using the Hope Scholarship Notification Form (Form IEPC-HS1) developed by the FLDOE and offer the parent an opportunity to enroll the student in another public school that has capacity or to request and receive, contingent upon available funds, and on a first-come, first-served basis, a scholarship to attend an eligible private school, subject to available funding.
- 4. In the event an investigation is not concluded within fifteen (15) days, the District shall notify the parent/legal guardian of the existence of the Hope Scholarship Program using the Hope Scholarship Notification Form (Form IEPC HS1) developed by the FLDOE.

# D. Parent/Legal Guardian Notification of Withdrawal to Eligible Private School.

Parents/legal guardian who elect to attend an eligible private school through the Hope Scholarship Program must inform the District at the time of withdrawal.

#### E. Statewide Assessments.

The District will notify any student who resides in the District and receives a Hope Scholarship, and his/her parent/legal guardian, about the locations and times to take all Statewide assessments. Parent/legal guardians shall be responsible for transporting the student to the assessment site.

# F. Term of Hope Scholarship.

A Hope Scholarship shall remain in force until the student graduates from high school.

Reviewed 4/25/23

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Legal F.S. 1002.40

F.A.C. 6A-6.0951

Cross References po5516 - STUDENT HAZING

po5517 - ANTI-HARASSMENT, COMPLIANCE OFFICERS, COMPLAINT AND INVESTIGATION

**PROCEDURES** 

po5517.01 - BULLYING AND HARASSMENT





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title MENTAL HEALTH SERVICES

Code \*\*po2410.01 12.14.2023 JJ (NEW);PG 12-19-23

Status

# New Policy - Vol. 24, No. 1

#### 2410.01 - MENTAL HEALTH SERVICES

The School Board will implement a school-based mental health assistance program that includes training classroom teachers and other school staff in detecting and responding to mental health issues and connecting children, youth, and families who may experience behavioral issues with appropriate services.

Mental health counseling services, case management services, and human and social services may be provided to students at a school site under mutual agreements with community-based public or private agencies. Each service provided shall be on a case-by-case basis with prior written approval of the student's parent or guardian.

## **Contracts with Mental Health Service Providers**

The District may contract for mental health services with a community-based mental health service provider for mental health screening for the identification of mental health concerns. Any such agreement shall provide that students who may be at risk for mental health disorders and are referred to such a provider shall be assessed within fifteen (15) days of referral. Mental health services must be initiated within fifteen (15) days after identification and assessment, and support by community-based mental health service providers for students who are referred for community-based mental health services must be initiated within thirty (30) days after the school or District makes a referral.

Parents of a student receiving services under such a contract shall be provided information about other behavioral health services available through the student's school or local community-based behavioral health services providers. A school may meet this requirement by providing information about and Internet addresses for web-based directories or guides for local behavioral health services.

Individuals living in a household with a student receiving services under such a contract shall be provided information about behavioral health services available through other delivery systems or payors for which such individuals may qualify, if such services appear to be needed or enhancements in those individuals' behavioral health would contribute to the improved well-being of the student.

# **Contact with Mental Health Professionals During a Student Crisis**

During a student crisis situation, before initiating an involuntary examination pursuant to F.S. 456.47, school or law enforcement personnel must make a reasonable attempt to contact a mental health professional, unless the child poses an imminent danger to themselves or others. Such contact may be in person or using telehealth as defined in F.S. 456.47. The mental health professional may be available to the District either by contract or interagency agreements with the managing entity, one or more local community behavioral health providers, or the local mobile response team, or be a direct or contracted District employee.

# **Involuntary Examinations of Students**

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

The Principal shall make a reasonable attempt to notify a parent of a student before the student is removed from school, school transportation, or a school-sponsored activity to be taken to a receiving facility for an involuntary examination pursuant to F.S. 394.463.

Reasonable attempt to notify means the exercise of reasonable diligence and care by the Principal to make contact with the student's parent, guardian, or other known emergency contact whom the student's parent or guardian has authorized to receive notification of an involuntary examination. At a minimum, the Principal must take the following actions:

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

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

The principal may delay notification for no more than twenty-four (24) hours after a student is removed if the principal deems the delay to be in the student's best interest and if (1) a report has been submitted to the central abuse hotline, pursuant to F.S. 39.201, based upon knowledge or suspicion of abuse, abandonment, or neglect; or (2) the principal reasonably believes that such delay is necessary to avoid jeopardizing the health and safety of the student.

The Superintendent is required to annually report to the Florida Department of Education the number of involuntary examinations, as defined in F.S. 394.455, which are initiated at a school, on school transportation, or at a school-sponsored activity.

#### Plan for Mental Health Assistance

The Superintendent will develop and submit to the Board for approval a detailed plan outlining the components and planned expenditures of the district's mental health assistance program. The plan will be focused on a system of supports to deliver mental health care assessment, diagnosis, intervention, treatment and recovery services to students with one or more mental health or co-occurring substance abuse diagnoses and to students at high risk of such diagnoses. Provision of these services will be coordinated with a student's primary mental health care provider and with other mental health providers. The plan will include the components set forth in F.S. 1006.041(2).

## **District Mental Health Coordinator**

The Board shall identify a mental health coordinator for the District. The mental health coordinator shall serve as the District's primary point of contact regarding the District's coordination, communication, and implementation of student mental health policies, procedures, responsibilities, and reporting. The mental health coordinator is responsible for:

- A. coordinating with the Office of Safe Schools, established pursuant to F.S. 1001.212;
- B. maintaining records and reports regarding student mental health as it relates to school safety and the mental health assistance allocation under F.S. 1011.62(14);
- C. facilitating the implementation of School Board policies relating to the respective duties and responsibilities of the District, the Superintendent, and District Principals;
- D. coordinating with the School Safety Specialist on the staffing and training of threat assessment teams and facilitating referrals to mental health services, as appropriate, for students and their families;
- E. coordinating with the School Safety Specialist on the training and resources for students and District staff relating to youth mental health awareness and assistance;
- F. reviewing annually the Board's policies and District procedures related to student mental health for compliance with Florida law and alignment with current best practices and making recommendations, as needed, for amending such policies and procedures to the Superintendent and the Board.

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Legal F.S. 39.201

F.S. 394.463

F.S. 394.495(7)

F.S. 1001.42

F.S. 1002.20

F.S. 1002.22

F.S. 1006.041

F.S. 1006.07

F.S. 1011.62





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title COLLEGE/CAREER READINESS ASSESSMENT

Code \*\*po2411.01 (Rescind ) mv 11/27/2023;PG 12-19-23

Status

Adopted April 28, 2009

Last Revised July 22, 2014

Last Reviewed November 27, 2023

### 2411.01 COLLEGE/CAREER READINESS ASSESSMENT

Brevard Public School juniors take a college/career readiness standardized assessment, unless waived by the Individual Education Plan (IEP), to provide an indication of their readiness for postsecondary education and careers. The results are used by high school counselors to assist students to refine individual aspirations, goals, and needs and develop the Senior Year Plan to complete the program of study.

Effective with the Graduating Class of 2010 2011, the College/Career Readiness Assessment shall be used as follows:

- A. High school counselors shall use the results of the college/career readiness assessment to advise the students of any identified deficiencies and through directive counseling to develop the Senior Plan which may include courses in addition to the minimum graduation requirements.
- B. 12th grade students have access to appropriate college/career readiness instruction through the regular school programs prior to high school graduation.
  - The college/career readiness instruction provided shall be a collaborative effort between secondary and postsecondary educational institutions.
  - 2. Florida Virtual School may be used to provide the college/career instruction.

The Superintendent shall develop and update as needed administrative procedures to implement this policy.

Revised 7/22/14

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Recommend repealing this policy as it is not a NEOLA policy and college/career readiness and access is provided for all high school students through processes. PSAT is provided to all 10th grade students and SAT is provided to all 11th grade students. Counselors meet with students each year to plan their courses for the following year.

Legal <u>F.S. 1008.30(3)</u>





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title CAREER AND TECHNICAL EDUCATION PROGRAM

Code \*\*po2421 RR 12-1-23;PG 12-19-23

Status

Adopted May 1, 2002

Last Revised November 29, 2023

Prior Revised Dates 5/24/2016

#### 2421 - CAREER AND TECHNICAL EDUCATION PROGRAM

- 1. The Board recognizes that education is a function of both knowledge and the application of knowledge. Education that ties abstract ideas to practical applications also prepares students to use their minds, as well as preparing them to be citizens, parents, and members of a civilized culture. Career and technical education and academic education are complementary, rather than exclusive.
- 2. For the purposes of this policy, "career and technical education" shall be defined as a program designed to provide career and technical education experiences. These experiences will complement and reinforce academic concepts that are particularly amenable to contextualized learning in a distinct career area and provide occupationally specific skills.
- 3. The Board shall provide a career and technical education program that includes, but is not limited to:
  - A. job preparatory courses designed to provide students with the competencies necessary for effective entry into an occupation;
  - B. exploratory courses designed to give students initial exposure to skills and attitudes associated with a broad range of occupations in order to assist them in making informed decisions regarding their future academic and occupational goals;
  - C. practical arts courses designed to teach students practical generic skills which, although applicable in some occupations, are not designed to prepare students for entry into an occupation;
  - D. career education instruction which is designed to strengthen and integrate basic academic skills and vocational/technical skills and occupational awareness;
  - E. accelerated technical programs such as vocational dual enrollment designed to enable high school students to earn elective credit toward graduation and postsecondary credit toward an A.S. degree or a technical certificate.
  - F. Additionally, each high school in the District shall host a career fair during the school year and establish a process to provide students in grades 11 and 12 the opportunity to meet or interview with potential employers during the career fair. The career fair must be held on the campus of the high school, except that a group of high schools in the District or the District and other school districts may hold a joint career fair at an alternative location to satisfy this requirement. A joint career fair must be held at a location within reasonable driving distance for students at all participating schools. The career fair must be held during the school day and may use Florida's online career planning and work-based learning system as part of the career fair activities.
- 4. Any effort to recruit students to participate in a particular career and technical program shall follow applicable State and Federal laws regarding provision of information.
- 5. Career and technical education programs are available to high school students without regard to race, color, national origin, sex, age, or disability. The Superintendent is to ensure that application forms for cooperate particles. The notice of nondiscrimination shall be part of the application forms provided to employers.

- 6. Procedures for program operation in accordance with applicable labor laws are incorporated in the Florida Department of Education, Curriculum Frameworks, and Student Performance Standards.
- 7. The Board recognizes the value of providing students with actual workplace experiences as part of their preparation for productive employment and appreciates the cooperation of local employers in accommodating such education and training activities at their places of business and therefore authorizes the Superintendent to develop workplace education and training programs as part of the career and technical education curriculum.
- 8. Career and Professional Academies; Career-Themed Courses
- A. The District shall offer career and professional academies at the middle and high school levels, and at least two (2) career-themed courses. A "career and professional academy" is a research-based program that integrates a rigorous academic curriculum with an industry-specific curriculum aligned directly to priority workforce needs established by the regional workforce board or the Department of Economic Opportunity Commerce.
- B. A "career-themed course" is a course, or a course in a series of courses, that leads to an industry certification identified in the CAPE Industry Certified Funding List pursuant to rules adopted by the State Board of Education. Career-themed courses have industry- specific curriculum aligned directly to priority workforce needs established by the regional workforce board or the Department of Economic OpportunityCommerce. Students completing a career-themed course will be provided opportunities to earn postsecondary credit if the credit for the career-themed course can be articulated to a postsecondary institution approved to operate in the State.
- C. The Board expects career and professional academies offered in the District to provide rigorous and relevant career-themed courses that may articulate to postsecondary-level coursework and provide students with the opportunity to receive a standard high school diploma, earn an industry certification, or earn postsecondary credit, and to attain the Florida Gold Seal Vocational Scholars award or the Florida Gold Seal CAPE Scholars award. Schools are encouraged to forge partnerships with local businesses in the development of career and professional academies. These partnerships will help prepare students for their career goals while supporting the local and State workforce needs, as well as help attract, expand, and retain targeted, high-value industry and jobs in the community.
- D. The District's career and professional academies should increase student academic achievement and graduation rates through integrated academic and career curriculum. Each middle school career exploration program, middle and high school career, and professional academies leading to industry certification, and high school graduation requirements shall be aligned.
- E. Each career and professional academy and career-themed course at the high school level must:
  - A. 1. provide a rigorous standards-based academic curriculum integrated with a career curriculum; consider multiple styles of student learning; promote learning by doing through application and adaptation; maximize relevance of the subject matter; enhance each student's capacity to excel; and include an emphasis on work habits and work ethics.
  - B. 2. include one or more partnerships with postsecondary institutions, businesses, industry, employers, economic development organizations, or other appropriate partners from the local community. Such partnerships with postsecondary institutions shall be delineated in articulation agreements and include any career and professional academy courses or career-themed courses that earn postsecondary credit. Such agreements may include articulation between the secondary school and public or private two (2) year and four (4) year postsecondary institutions and technical centers. Such partnerships must provide opportunities for:
    - 1. a. instruction from highly skilled professionals who possess industry- certification credentials for courses they are teaching;
    - 2. b. internships, externships, and on-the-job training;
    - 3. c. a postsecondary degree, diploma, or certificate;
    - 4. d. the highest available level of industry certification;
    - 5. e. maximum articulation of credits pursuant to F.S. 1007.23 upon program completion.
  - C. 3. promote and provide opportunities for students enrolled in a career and professional academy or a career-themed course to attain, at minimum, the Florida Gold Seal Vocational Scholars award pursuant to F.S. 1009.536.
  - D. 4. provide instruction in careers designated as high-skill, high-wage, and high-demand by the regional workforce development board, the chamber of commerce, economic development agencies, or the Department of Economic OpportunityCommerce.
- AME 5. deliver academic content through instruction relevant to the career, including intensive reading and mathematics intervention required by F.S. 1003.428, with an emphasis on strengthening reading for information skills.
  - F. 6. offer applied courses that combine academic content with technical skills. FL-BREVARD-23-1239-A-000361

- G. 7. provide instruction resulting in competency, certification, or credentials in workplace skills, including, but not limited to, communication skills, interpersonal skills, decision-making skills, the importance of attendance and timeliness in the work environment, and work ethics.
- F. Each career and professional academy at the middle school level must:
  - A. 1. lead to careers in occupations designated as high-skill, high-wage, and high-demand in the CAPE-Industry Certified Funding List approved under rules adopted by the State Board of Education.
  - B. 2. integrate content from core subject areas.
  - C. 3. integrate <del>career and professional academy or</del> career-themed course content with <del>intensive</del> reading and mathematics <del>pursuant to F.S. 1003.428</del>.
  - D. 4. coordinate with high schools to maximize opportunities for middle school students to earn high school credit.
  - E. provide access to virtual instruction courses provided by virtual education providers legislatively authorized to provide part-time instruction to middle school students. The virtual instruction courses must be aligned to State curriculum standards for middle school career and professional academy courses or career themed courses, with priority given to students who have required course deficits.
  - F. 5. provide instruction from highly skilled professionals who hold industry certificates in the career area in which they teach.
  - G. 6. offer externships age-appropriate work-based learning experiences.
  - H. 7. provide personalized student advisement that includes a parent- participation component.
- G. An adult student with a disability who is enrolled in an apprenticeship program that is registered with the Department of Education in accordance with F.S.Chapter 446, Job Training, is exempt from the provisions of F.S. 1004.91 relating to career preparatory instruction.
- 9. Industry Certification in Industry-Certified Career Education CTE Programs
- A. Secondary schools offering career-themed courses and career and professional academies shall enable students in such programs to earn industry certification in an industry that is:
  - A. 1. within an industry that addresses a critical local or Statewide economic need;
  - B. 2. linked to an occupation that is included in the workforce system's targeted occupation list; or
  - C. 3. linked to an occupation that is identified as emerging.
- B. To earn industry certification, the student must demonstrate the required proficiency on an assessment evaluated by an independent, third-party certifying entity using predetermined standards for knowledge, skills, and competencies.
- 10. Strategic Plan to Address Local and Regional Workforce Demands

Florida statutes require each Board to develop, in collaboration with regional workforce boards, economic development agencies, and postsecondary institutions approved to operate in the state, a strategic three (3) year plan to address and meet local and regional workforce demands. If involvement of a regional workforce board or an economic development agency in the strategic plan development is not feasible, the Board, with the approval of the Department of Economic Opportunity Commerce, shall collaborate with the most appropriate regional business leadership board.

Revised 4/10/07 Revised 4/22/08

Revised 4/28/09

Revised 7/22/14

Revised 5/24/16

Revised 11/29/23

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Legal F.S. 445.004

F.S. 445.006

F.S. 446 et seq.

F.S. 450.081

F.S. 1001.42



F.S. 1001.43 F.S. 1003.01 F.S. 1003.4156 F.S. 1003.428 F.S. 1003.491 F.S. 1003.492 F.S. 1003.4935 F.S. 1004.096 F.S. 1004.91 F.S. 1004.92 F.S. 1007.271 F.S. 1009.21 F.S. 1009.22 F.S. 1009.26 F.S. 1009.40 F.S. 1009.536 F.S. 1009.896 F.S. 1011.62 F.S. 1011.80 29 U.S.C. 201 29 U.S.C. 202 29 U.S.C. 203 29 U.S.C. 204 29 U.S.C. 206 29 U.S.C. 207 29 U.S.C. 209 29 U.S.C. 210 29 U.S.C. 211 29 U.S.C. 212 29 U.S.C. 213 29 U.S.C. 214 29 U.S.C. 215 29 U.S.C. 216 29 U.S.C. 216b 29 U.S.C. 217 29 U.S.C. 218

29 U.S.C. 219 F.A.C. 6A-20.0284

Last Modified by Paul Gibbs on December 19, 2023

29 U.S.C. 218b 29 U.S.C. 218c



Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title Students as Trainees

Code \*\*po2421.01 RR 12-1-23;PG 12-19-23

Status

### 2421.01 - STUDENTS AS TRAINEES

- A. The School Board recognizes the value of providing students with experiences as part of their preparation for productive employment and appreciates the cooperation of local employers in accommodating such training activities at their places of business.
- B. The Board authorizes the Superintendent to develop work-site training programs as part of the vocational education curriculum. S/He shall develop administrative procedures whereby all such programs are reviewed to determine whether or not an employer relationship has been established according to criteria established by the Supreme Court in adjudicating cases related to the Fair Labor Standards Act. Particular attention should be paid to community-based programs for special education students and to vocational education programs. in which students are producing goods or services for sale and the District is the recipient of the income therefrom.

Modified 2/9/23 © **Neola 2002** 

Legal F.A.C. 6A-6.055

F.S. 1001.42







Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title SCHOOL-TO-WORK PROGRAM

Code \*\*po2423 RR 12-1-23; PG 12-19-23

Status

## Technical Correction - Special Upd., Sept. 2023

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

### Federal School-to-Work Opportunities Act of 1994

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

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

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

III. The Superintendent's procedures for the development and implementation of school-to-work activities/programs need to provide for the following concerns of the Board:

- A. Proposals are submitted to obtain planning and/or implementation funds from the State and other sources, when available and appropriate.
- B. [1] Informed parental consent will be obtained for any out-of-district activities such as career-awareness trips, job shadowing, work experiences, and the like.
- C. [1] Proper supervision is being provided to all students when they are participating in learning activities in off-school sites.
- D. [] All students are being provided with appropriate opportunities to participate in school-to-work activities.
- E. [1] Emphasis is being placed throughout the program on the development/reinforcement of a high-quality work ethic by every student.
- F. [-] Each learning activity/program will have defined objectives with a clear correlation to career preparation and a means for assessing how well each student is achieving the objectives.

G. Hall activities/programs will comply with associated Board policies and District procedures as well as applicable Federal/State laws.

IV. As appropriate to a particular program initiative, the Superintendent may request waivers from the State on certain statutory or regulatory provisions that are contained in the Elementary and Secondary Education Act and the Carl D. Perkins Vocational and Applied Technology Act. Strengthening Career and Technical Education for the 21st Century Act (Perkins V).

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

VI. The Superintendent shall keep the Board informed periodically on the progress of the District toward the goals of this important program.

### Florida Work-Based Learning Opportunities

VII. The Board shall provide that each student enrolled in grades 9 through 12 has access to at least one (1) work-based learning opportunity.

VIII. In accordance with Florida law, the term "work-based learning opportunity" means an interaction with industry or community professionals that occurs in a workplace setting, to the extent possible, or a simulated environment at an educational institution that allows firsthand experience with tasks required in a given career field, is aligned with curriculum and instruction, and is provided in partnership with an educational institution. A work-based learning opportunity must meet all of the following criteria:

- A. be developmentally appropriate.
- B. identify learning objectives for the term of experience.
- C. explore multiple aspects of an industry.
- D. develop workplace skills and competencies.
- E. assess performance.
- F. provide opportunities for work-based reflection.
- G. link to next steps in career planning and preparation in a student's chosen career pathway.
- H. be provided in an equal and fair manner.
- I. be documented and reported in compliance with State and Federal labor laws.

A work-based learning opportunity should prioritize paid experiences, such as apprenticeships and preapprenticeship programs as those terms are defined in F.S. 446.021.

F.S. 446.021 (1)(2)
F.S. 446.0915
F.S. 446.54
F.A.C. 6A-23.0042, Work Based Learning Standards
The Fair Labor Standards Act of 1938 (as amended), 29 U.S.C. 201, et seq. 29 C.F.R. Part 570

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Legal <u>F.S. 446.021 (1)(2)</u>

F.S. 446.0915 F.S. 446.54

F.A.C. 6A-23.0042, Work-Based Learning Standards

The Fair Labor Standards Act of 1938 (as amended), 29 U.S.C. 201, et seq.

29 C.F.R. Part 570





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title District-Sponsored Clubs and Activities

Code \*po2430 1/6/23 JR revision

Status

### 2430 - DISTRICT-SPONSORED CLUBS AND ACTIVITIES

The Board believes that the goals and objectives of the District are best achieved by a diversity of learning experiences that take place both in and outside of the classroom. To achieve this goal, the Board encourages students to form clubs and activities that will enhance their educational experience. To assist students in furthering this goal, the Board shall sponsor three (3) types of clubs and activities: school sponsored curricular clubs, co-curricular clubs, and interscholastic extra-curricular activities.

The following criteria should be used to differentiate between a school sponsored curricular club, co-curricular club, and interscholastic extra-curricular activity from that of a non-school sponsored student club or activity.

School sponsored curricular clubs are defined as clubs whose activities are based on:

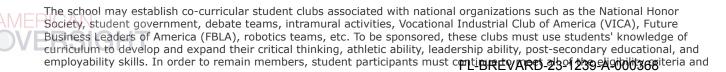
- A. subject matter that is actually taught as the primary topic of a course or will be taught in a regularly offered course;
- B. subject matter that relates to the District's composite courses of study;
- C. participation that is required for a particular course;
- D. participation that results in academic credit.

No curricular related activity shall be considered to be under the sponsorship of this Board unless it meets one (1) or more of the criteria stated above and has been approved by the Superintendent.

# I. Co-Curricular Clubs and Interscholastic Extra-Curricular Activities

The policy of the Board is to maintain a co-curricular club and interscholastic extra-curricular activities program sufficiently varied to meet the wide range of vocational, recreational, social, and cultural needs and interests of the students. School administrators should use the following criteria in accepting a co-curricular club or interscholastic extra-curricular activity as District sponsored:

## A. Co-Curricular Clubs



abide by the principles and practices established by the club, team, or the organization. In order to be sponsored by the Board, student clubs and their national organizations shall not show an allegiance to or preference for or against an individual's race, age, national origin, gender, gender orientation, religion, creed, disability, or social economic status.

#### B. Interscholastic Extra-Curricular Activities

The school may also establish interscholastic extra-curricular activities. These activities must fall under the guidance and direction of the Florida High School Athletic Association to be considered sponsored by the District. In order to be eligible for any interscholastic extra-curricular activity, a student must have maintained at least a 2.0 cumulative grade-point average. In the event that the interscholastic extra-curricular athletic activity requires a limited number of players, the coach or other leader of the particular activity has the flexibility to allow or terminate a student's participation based on fitness, ability, or other similar criteria.

Students shall be fully informed of all school sponsored curricular clubs, co-curricular clubs, interscholastic extra-curricular activities, and non-district sponsored student clubs available to them and of the eligibility standards established for participation in these activities. District-sponsored activities shall be available to all students who elect to participate and meet eligibility standards.

The District defines school sponsored curricular clubs, co-curricular clubs, and interscholastic extra-curricular activities as activities that are conducted on or off school premises under the supervision and guidance of a staff advisor. School sponsored curricular clubs, co-curricular clubs, and interscholastic extra-curricular activities may also receive funding from the District for their meetings, activities, and competitions. The staff advisor may provide services for the club during their normal workday as well as receive compensation for their involvement in the clubs activities after their normal workday ends.

School sponsored curricular clubs, co-curricular clubs, and interscholastic extra-curricular activities shall require a fiscal account to be established that must comply with the District's financial and bookkeeping controls established by the office of accounting services. Each advisor assigned to school sponsored curricular clubs, co-curricular clubs, and interscholastic extra-curricular activities shall provide a periodic update to the principal on the fiscal status of the club and their activities.

Non-school sponsored student clubs or activities are clubs whose activities fail to meet any of the criteria listed above. Some of these clubs include, but are not limited to race, or gender related clubs, surf clubs, religious clubs, etc.

The Board shall allow non-school sponsored student clubs or activities during non-instructional time, in accordance with the provisions in Policy 5730 - Equal Access for Non-School Sponsored Student Clubs or Activities. These clubs may use the name of the school when it is required or necessary to distinguish it from other such clubs in relation to competitions or other types of events. The use of the school name is not intended to show the club falls under the control, supervision, direction, guidance, or sponsorship of the Board. Non-school sponsored student clubs or activities fiscal accounts are not controlled or accounted for by the District.

The Board shall allow non-school sponsored student clubs or activities to use its facilities for meetings. The requirements for the use of District facilities by non-school sponsored student clubs or activities can also be found in Policy 5730 - Equal Access for Non-School Sponsored Student Clubs or Activities. The school principal may assign a staff member to attend and supervise a non-school sponsored student club or activity in a custodial capacity.

District employees or agents of the District may participate in non-school sponsored student clubs, but may only do so before or after their normal working hours. At no time shall employees or agents of the District that participates in a non-school sponsored student club indicate or imply to anyone that their participation in club activities shows that the club or their participation with the club is sponsored by the Board. Employees or agents of the District wishing to attend such a club during their non-working hours must certify in writing to the school principal, students in the club, and to the parents/guardians of students in the club that they are doing so as a private citizen and that they are not acting in their official capacity as an employee, agent, or representative of the Board. If an employee or agent of the District attends a non-school sponsored student club during their non-working hours, the principal shall not allow them to act as the custodial supervisor for the club and as such shall assign another staff member to act as the custodial supervisor during meeting or activities on campus.

Non-school sponsored student clubs or activities fiscal accounts are not controlled or accounted for by the District.

### II. Forming Clubs

All clubs should provide the school principal with the following information prior to the start of student participation:



C. participation requirements
D. plan of operation
E. costs to participate and/or fund raising activities anticipated
F. persons in charge
G. assure that the club will adhere to school/student conduct rules, the laws of the United States, the State of Florida, and/or the District
The school principal will evaluate each request for a club and list it as either a "school sponsored curricular club", "co-curricular", "interscholastic extra-curricular club", or "non-school sponsored, student club or activity". Each school principal shall provide a listing of all clubs meeting at their school to the Office of Risk Management on an annual basis. Parents will be informed about the nature and purpose of the curricular and extra-curricular clubs and activities in their child's school.
III. Operating Guidelines for School Sponsored Clubs
The principal shall prepare and publish operation procedures for all co-curricular clubs and interscholastic extra-curricular activities that ensure that:
A. students participate in ways that do not interfere with their academic programs;
B. the safety and welfare of the student are adequately safeguarded;
C. all activities have proper faculty planning, direction, and supervision;
D. faculty members and students are encouraged, but not required, to attend activities involving student performances;
E. each activity is assessed continuously, relative to its stated purpose and goals;
F. building facilities and equipment are being used safely and as intended, and being maintained in proper condition.
Non-school sponsored activities and/or clubs initiated by parents or other members of the community may be allowed under the provisions of Policy 7510 - Use of District Facilities.
The Board, however, will not:
A. assume any responsibility for the planning, conducting, or evaluating of such activities;
B. provide any funds or other resources;
C. allow any member of the District's staff to assist in the planning, conducting, or evaluation of such an activity during the hours s/he is functioning as a member of the staff.
Non-district sponsored outside organization, parent, community member activities or clubs may not use the name of the Board or any other name, which would associate an activity with the District.

B. intended outcomes for students

This policy applies to secondary-age students. Primary-age schools are not bound by this policy, but should use this policy as a guide when operating clubs in their schools.

The Superintendent shall develop and update, as needed, administrative procedures to implement this policy.

Revised 3/23/04

Revised 4/12/05

Revised 1/12/24

Legal

F.S. 1006.15

F.S. 1006.195

F.S. 1014.05

Legal F.S. 1014.05

F.S. 1006.195

F.S. 1006.15

Last Modified by James Rehmer on January 12, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title Participation by Transfer Students

Code \*po2431.01 JR 1/12/24 NEW

Status

### 2431.01 - PARTICIPATION BY TRANSFER STUDENTS

The School Board recognizes the value of interscholastic athletics and the positive impact sports have on students. The Board shall comply with the rules and regulations promulgated by the Florida High School Athletic Association, Inc. (FHSAA), Florida law, and this policy when determining the eligibility of a transfer student to participate in the District's interscholastic athletic program.

Pursuant to the bylaws of the FHSAA, a "transfer" occurs when a student makes any change in schools after s/he establishes residency at a school each year. A student who transfers from one school to another will be eligible at the new school provided the student qualifies under one of transfer eligibility categories set forth in the FHSAA's bylaws and meets all other eligibility requirements.

A student who transfers to a school during the school year may seek to immediately join an existing team if the roster for the specific interscholastic or intrascholastic extra-curricular activity has not reached the identified maximum size for the particular activity and if the coach for the activity determines that the student has the requisite skill and ability to participate. The FHSAA and District may not declare such a student ineligible because the student did not have the opportunity to comply with qualifying requirements.

However, a student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one (1) of the following criteria:

- A. Dependent children of active duty military personnel whose move resulted from military orders.
- B. Children who have been relocated due to a foster care placement in a different school zone.
- C. Children who move due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.
- D. Authorized for good cause.

For purposes of this policy, "authorized for good cause" means the student is able to satisfactorily demonstrate to the Principal that one (1) of the following applies:

- A. The student moves to a new home address due to a move by the student and a person or person(s) with whom s/he has been previously living that makes it necessary for the student to attend a different school.
- B. The student moves to a new residence following marriage of the student. The student must immediately establish a new residence that makes it necessary to attend a different school.
- C. The student is reassigned to a new school pursuant to Board policy.
- D. The student transfers from his/her current school within the first twenty (20) school days to a new school (i.e., acceptance into a previously applied for magnet program, charter, or private school).
- E. Special assignment by the Superintendent.
- F. Undue hardship.

G. \_\_\_\_\_\_

The Principal of each school in the District shall be responsible for enforcing the FHSAA's bylaws and policies in his/her school. The Principal shall review and determine whether a transfer student qualifies under one of the transfer eligibility categories set forth in the FHSAA's bylaws and meets all other eligibility requirements. Upon approval of the transfer student's eligibility, a Notice of Transfer form prescribed by the FHSAA shall be submitted to the FHSAA prior to the student participating in any sport season.

The Principal or his/her designee must annually submit all eligibility reports electronically and sign all eligibility correspondence. The principal or designee shall certify that the information provided to the FHSAA is accurate and that the students named in the report are eligible to participate in accordance with the FHSAA's bylaws.

### **Recruiting Prohibited/Penalties**

The Board recognizes that the recruitment of student athletes is strictly prohibited by F.S. 1006.20. The FHSAA, through its bylaws, has prescribed penalties, sanctions and an appeals process for athletic recruiting violations. A student may not be declared ineligible based on violation of recruiting rules unless the student or parent has falsified any enrollment or eligibility document or accepted any benefit or any promise of benefit if such benefit is not generally available to the school's students or family members or is based in any way on athletic interest, potential, or performance.

### **Eligibility Appeals**

If the Principal determines that a transfer student is ineligible to participate in interscholastic athletics, a student may submit an appeal to the FHSAA in accordance with Florida law and the FHSAA's bylaws.

Handbook and Bylaws of the Florida High School Athletic Association

F.S. 1002.20

F.S. 1006.15

F.S. 1006.195

F.S. 1006.20

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Legal F.S. 1006.20

F.S. 1006.195 F.S. 1006.15

F.S. 1002.20

Handbook and Bylaws of the Florida High School Athletic Association

Last Modified by James Rehmer on January 12, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title SUMMER SCHOOL

Code \*\*po2440 12-8-23 MV; PG 12-19-23

Status

Adopted May 1, 2002

Last Revised July 22, 2014

# 2440 - SUMMER SCHOOL

- I. The Board shall provide summer programs for students including, but not necessarily limited to the following: may conduct a summer program of academic instruction for students in grades K 12 remediation in Reading, Math, English, Science, and Social Studies and those ESE students needing extended school year service, as identified in their I.E.P., at the K 12 level, for resident students of this District, and other students as approved. In addition to the 9-12 remedial and K 12 exceptional student education summer program, the District may choose to implement summer enhancement programs, contingent upon Board approval.
- a. ESE students needing extended school year services ("ESY") as identified in their Individual Education Plans ("IEP"). Summer ESY programs for each individual ESE student shall be provided in accordance with the student's IEP. Students in third grade who have not achieved the standards required for promotion shall also be eligible for summer programs.
- b. Summer programs for third grade students retained in the provisions of F.S. 1008.25(5)(b) shall include a summer reading camp. Additionally, summer programs for third grade students shall provide required reading remediation and opportunity to demonstrate reading proficiency.
- c. In accordance with State law, the Board shall administer the voluntary prekindergarten education program at the District level for students enrolled under F.S. 1002.53(3)(b) in a public school summer prekindergarten program.
- II. The Board may provide summer programs for students including, but not limited to, the following:
- a. Credit recovery for students needing courses for graduation.
- b. Summer programs of academic instruction for students in grades K-12 remediation in Math, English, Science and Social Studies for resident students of this District and other students approved. The District may also choose to implement summer enhancement programs contingent upon Board approval.
- III. The Boar shall be responsible for transporting ESE students in accordance with the terms of students' IEPs. The Board shall also transport Grade 3 summer reading camp students.

With regard to transportation, the Board accepts responsibility for full time ESE students, as required in Florida Board of Education Rule F.A.C. 6A 6.03028(3)(i).

The Superintendent shall be responsible for developing administrative procedures for the operation of the summer program which shall be consistent with Board policies and not conflict in any way with the administration of the regular school sessions of the District.

The Superintendent shall develop and update as needed administrative procedures to implement this policy.

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Legal <u>F.S. 1001.43</u>





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title ADULT AND COMMUNITY EDUCATION

Code \*po2450 JR 1/10/24

Status

Adopted May 1, 2004

### 2450 - ADULT AND COMMUNITY EDUCATION

With regard to adult/community education, the Board also shall provide a basic and high school continuation program as an opportunity for anyone over the age of sixteen (16) who is not attending high school in this District.

The Board shall also maintain an Americanization program of instruction for the benefit of foreign-born residents of the District.

A person who is not at least eighteen (18) years of age may be permitted to take the General Educational Development (GED) tests upon submission of a statement of justification recommended by the Superintendent's designee. The statement of justification shall be based on at least one of the following circumstances:

- A. The candidate justifies a need to be employed that would prevent school attendance; or
- B. The candidate is a parent who does not have access to child care; or
- C. The candidate justifies health condition(s) that would prevent school attendance.

An individual who is sixteen (16) or seventeen (17) years of age may be permitted to take the General Education Development (GED) test in accordance with Policy 5465 - General Education Development (GED) Tests

The Superintendent shall develop and implement administrative procedures whereby the schools are available to citizens of the District for the above stated purposes.

The Superintendent shall develop and update as needed administrative procedures to implement this policy.

# Revised 1/10/24

Legal <u>F.S. 1001.41</u>

F.S. 1003.435 F.S. 1004.93 F.S. 1004.94

Last Modified by James Rehmer on January 10, 2024







Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title EXCEPTIONAL STUDENT EDUCATION

Code \*\*po2460 12/14/2023 PF;PG 12-19-23

Status

Adopted May 1, 2002

Last Revised July 22, 2014

### 2460 - EXCEPTIONAL STUDENT EDUCATION

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

#### A. Student Identification

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

## B. Procedural Safeguards

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

#### C. Multifactored Evaluation

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

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

- 1. students are assessed in their native language or other mode of communication;
- 2. tests are used for their validated purposes;
- 3. students are evaluated in all areas related to their suspected disability;
- 4. testing is conducted by a multidisciplinary team;
- 5. testing materials and procedures are not racially or culturally biased;
- 6. tests are administered by trained personnel qualified in accordance with all Federal regulations and State standards;
- 7. tests are administered in conformance with the instructions provided by the producer;
- 8. medical evaluation, when required as part of the multifactored evaluation, shall be provided at no cost to the parent by a licensed physician designated by the Superintendent or his/her designee, when the parent is unable to obtain such evaluation and other no- cost resources are not available. FL-BREVARD-23-1239-A-000378

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

#### D. Individualized Education Program

The District will develop an I-individualized E-education P-plan (IEP) for each student with a disability who needs special education. The IEP shall be designed to meet the unique educational needs of the student and shall be developed in meetings with the student's designated IEP Team. At the initial meeting of a student's IEP Team, the District will provide parents within formation about the amount of funding the District receives for each of the five (5) exceptional student education support levels for a full-time student.

Parents of the student shall be strongly encouraged to participate in the IEP Team meetings.

IEP Meeting Notice: When the District determines that there is a need to change an IEP based on a student's need to access an alternate assessment and/or when the student may be recommended to be placed in an exceptional student education center (separate day school), then the school shall provide written notice of the IEP meeting to the parent at least ten (10) days before the meeting. The written notice of the IEP meeting must include the purpose, time and location of the meeting and who, by title or position, will attend the meeting. The requirement for the ten (10) day notice for an IEP meeting may be waived by informed consent of the parent after the parent receives the written notice.

Attendance of Others at IEP Meetings: Parents may be accompanied by another adult of their choice at any meeting with District personnel. District personnel will not object to the attendance of such adult or discourage or attempt to discourage through any action, statement, or other means parents from inviting another person of their choice to attend any meeting. Parents and District personnel shall sign a document at the meeting's conclusion which states whether any District personnel have prohibited, discouraged or attempted discourage the parents from inviting a person of their choice to the meeting.

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

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

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

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

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

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

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

- 1. individuals certified under F.S. 393.17 or licensed under Chapter 490 or Chapter 491 for applied behavior analysis services as defined in F.S. 627.6686 and 641.31098; To provide services under this paragraph, a registered behavior technician must be employed by a provider described in Paragraph 1 above herein.
- 2. speech-language pathologists licensed under F.S. 468.1185;
- 3. occupational therapists licensed under part III of 379 Chapter 468;
- 4. physical therapists licensed under Chapter 486;
- 5. psychologists licensed under Chapter 490; and
- 6. clinical social workers licensed under Chapter 491.

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

- 1. the student's public instructional personnel and the school principal consent to the time and place;
- 2. the private instructional personnel complete the required procedures for being on a school campus in the District including signing a confidentiality statement and signing in/out using the school's visitor procedures; and
- 3. the private instructional personnel satisfy the requirements of F.S. 1012.32 or 1012.321.

#### E. Least Restrictive Environment

The education of students with disabilities shall occur in the least restrictive environment through appropriate special education programs and services designed to meet the unique needs of each student with a disability. District personnel will use the regular school facilities and adapt them to the needs of exceptional students to the maximum extent appropriate. To the extent appropriate, students with disabilities, shall be educated with students who do not have disabilities. Segregation of students with disabilities will occur only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

## F. Confidentiality of Data

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

#### G. Due Process

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

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

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

#### **H. Educational Surrogate Parent**

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

# I. Testing Programs

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

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

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

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

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

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

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

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

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

K. Early Literacy Skills for Retained Prekindergarten Students

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

L. Transfer of Parental Rights at Age of Majority

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

Placement by the Department of Children and Family Services

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

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

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



F.S. 1003.01(3)

F.S. 1003.4156 F.S. 1003.57

1.5. 1005.57

F.S. 1003.5715

F.S. 1003.572

F.S. 1008.212

F.S. 1008.22

F.S. 1008.24

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

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

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

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

Procedural Safeguards for Exceptional Students Who Are Gifted, F.A.C. 6A 6.03313

Surrogate Parents, F.A.C. 6A 6.0333

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

20 U.S.C. 1400 et seq.

20 U.S.C. 1401 et seq.

34 C.F.R. Part 300

Revised 12/13/11 Revised 7/22/14

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Legal F.S. 1001.41

F.S. 1001.42

F.S. 1003.01(3)(b)

F.S. 1003.4156

F.S. 1003.428

F.S. 1003.57

F.S. 1003.5715

F.S. 1003.572

F.S. 1008.212

F.S. 1008.22

F.S. 1008.24

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

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

Procedural Safeguards and Due Process Procedures for Parents and Students with

Disabilities, F.A.C. 6A-6.03311

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

Surrogate Parents, F.A.C. 6A-6.0333

<u>Definitions, ESE Policies and Procedures, and ESE Administrators, F.A.C. 6A-6.03411</u>

<u>20 U.S.C. 1400 et seq.</u>

20 U.S.C. 1401 et seq.

34 C.F.R. Part 300.520







Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title LEAST RESTRICTIVE ENVIRONMENT

Code \*\*po2460.01 12/14/23 KB (Rescinded);PG 12-19-23

Status

Adopted March 25, 2003

Last Revised July 22, 2014

Last Reviewed May 9, 2023

### 2460.01 - LEAST RESTRICTIVE ENVIRONMENT

The administration and delivery of special education programs and services should be within the District and at the school that a student would regularly attend, unless otherwise determined by the student's Individual Education Plan (IEP) team.

The Board endorses a commitment to the provision of a continuum of special education programs and services to disabled students within the District. Placement options shall follow a continuum of services model to ensure that each student with a disability is provided a Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE). To that end, every attempt will be made to first serve students with disabilities in the context of a regular education classroom. Placement in an exceptional student education(ESE) classroom will occur only as the result of an IEP team decision when it is determined that the nature or severity of the student's exceptionality is such that education in a regular class, even with the use of supplementary aids and services, cannot be achieved satisfactorily. In such cases, the IEP team will consider a student's need for instruction in a resource room, separate ESE classroom, separate day school, homebound or residential placement.

Revised 7/22/14
Reviewed 5/9/23

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Legal 20 U.S.C. 1400 et seq.







Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title SELECTION AND ADOPTION OF INSTRUCTIONAL MATERIALS

Code \*\*po2520 12/14/23 TH;PG 12-19-23

Status

Adopted May 1, 2002

Last Revised November 14, 2023

### 2520 - SELECTION AND ADOPTION OF INSTRUCTIONAL MATERIALS

#### A. Instructional Materials

- 1. The Board adopts courses of study pursuant to State law and Policy 2220. When adopting courses of study, State law also requires the Board to adopt and provide adequate instructional materials to students enrolled in the District.
- 2. "Adequate instructional materials" means a sufficient number of student or site licenses or sets of materials that are available in bound, unbound, kit, or package form and may consist of hard-backed or soft-backed textbooks, electronic content, consumables, learning laboratories, manipulatives, electronic media, and computer courseware or software that serves as the basis for instruction for each student in the core courses of mathematics, language arts, social studies, science, reading, and literature.
- 3. Furthermore, Federal law requires the Board to provide accessible instructional materials as specified in a student's Individualized Education Program (IEP). Such accessible instructional materials may be of a type or in a format as specified in the definition of adequate instructional materials in this policy.
- 4. "Library media center" means any collection of books, ebooks, periodicals, or videos maintained and accessible on the site of a school, including in classrooms.
  - As required by State law, instructional materials adopted and used in the District shall be consistent with the goals and objectives in the District's adopted course of study and with the course descriptions established by State Board rule. The Board is responsible for the content of all instructional materials and any other materials used in a classroom, made available in a school or classroom library, or included on a reading list.
- 5. Each principal shall provide that instructional materials are used to provide instruction to students enrolled at the grade level or levels for which the materials are designed pursuant to adopted Board policies. Each principal shall communicate to parents the manner in which instructional materials are used to implement the curricular objectives of the school and the procedures for contesting the adoption and use of instructional materials. Principals are also responsible for overseeing compliance with District procedures for selecting school library media center materials at the school to which they are assigned and notifying parents of the process for objecting to the use of specific materials.
- 6. The Superintendent shall develop administrative procedures that set forth a process to involve staff in the review and evaluation of instructional materials. The staff involved in this process shall recommend to the Superintendent for submission to the Board for adoption the instructional materials that address the goals and objectives for adopted courses of study and the course descriptions established by State Board rule. The instructional materials shall be from the State-adopted instructional materials list if there has been a State adoption or from publishers and other resources if there has not been a State adoption. A meeting of a committee for the purpose of ranking, eliminating, or selecting instructional materials for recommendation to the Board must be noticed and open to the public in accordance with F.S. 286.011. A committee convened for such purposes must include parents of District students who will have access to such materials.

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

#### **B.** Certification by Superintendent

- 1. By April 1 of each year, the Superintendent will provide notice to the Department of Education of the Stateadopted instructional materials that will be requisitioned for use in the district, including the District's plan for use of the materials.
- 2. On or before July 1 each year, the Superintendent will certify to the Commissioner of Education (1) the estimated allocation of state funds for instructional materials for the ensuing fiscal year; and (2) that school librarians and media specialists who are involved in the selection of library media materials for students have completed the online Library Media Training course.
- 3. By August 1 each year, the Superintendent will certify to the Commissioner of Education (1) that the Board has approved a comprehensive staff development plan that supports fidelity of implementation of instructional materials programs, including verification that training was provided, (2) that the materials are being implemented as designed, and that core reading materials and reading intervention materials used in kindergarten through grade 5 meet the requirements of F.S. 1001.215; (3) that all instructional materials for core courses are aligned to state academic standards; (4) that core reading and reading intervention materials used in grades kindergarten through grade 5 meet the requirements of F.S. 1001.215(7); and (5) that any material objected to by a parent or resident during the previous year under F.S. 1006.28 has been identified, along with the reasons for objection, and the grade and courses for which the material was removed or discontinued. -

## C. Adoption of Instructional Materials

- 1. Prior to submitting a recommendation to the Board regarding the recommended instructional materials, those materials will be accessible for review online for at least twenty (20) calendar days prior to the open publicly noticed meeting at which a public hearing will be held so that the Board can receive comment, if any, about the instructional material under consideration for adoption. The Superintendent shall establish reasonable safeguards against the unauthorized use, reproduction, and distribution of the instructional material under consideration.
- 2. Following the public hearing, the Board may act upon the Superintendent's recommendation to adopt the instructional materials.
- 3. At an open publicly noticed meeting following the meeting at which the instructional material is adopted, the Board shall consider a recommendation to approve an annual instructional materials plan that identifies any instructional materials to be purchased pursuant to the instructional materials review process described herein.
- 4. The Superintendent shall maintain a list of all adopted instructional materials.

## D. Publication on Website the List of Instructional Materials and Process to Limit Student Access

- 1. The Board will publish on its website, in a searchable format, a list of all instructional materials, including those used to provide required instruction under Florida law.
- The Board will adopt and publish on its website the process for a parent to limit his/her student's access to materials in the school or classroom library (Form 2520).

# E. School Library Media Centers and Reading Lists

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

### F. Procedures for Developing Media Collections

- The media specialist will endeavor to stay informed about appropriate new publications, using multiple sources, such
  as discussions with colleagues, attendance at conferences, and reading a variety of periodicals and book reviews. The
  media specialist will also receive and consider suggestions or requests brought forward by other faculty, students and
  parents.
- 2. In purchasing new acquisitions for the school library media center and reading lists, the media specialist will consult reputable, professionally recognized reviewing periodicals and school community stakeholders to determine if they would be suitable for student needs and whether they would be appropriate for the intended grade level and age group. The media specialist will also assess the level of student interest in the subject(s) presented and the ability of students to comprehend the material. Books that are selected must be free of pornography and material prohibited A Junder F.S. 847.012.
- 3. The goal of the selection process is for the school's library media center and reading list collections to be based on reader interest, the support of State standards and aligned curriculum Fand the goal of students and aligned curriculum Fand the goal of students and aligned curriculum Fand the goal of the selection process is for the school's library media center and reading list collections to be based on reader interest, the support of State standards and aligned curriculum Fand the goal of the selection process is for the school's library media center and reading list collections to be based on reader interest, the support of State standards and aligned curriculum Fand the goal of the selection process is for the school's library media center and reading list collections to be based on reader interest, the support of State standards and aligned curriculum Fand the goal of the school of the s

faculty.

- 4. After evaluation, the media specialist will inform the principal of those books that have been evaluated and are approved for inclusion in the collections.
- 5. Periodically, books will be removed from the collection or discontinued, based on their poor condition, low rate of circulation, non-alignment to State standards, out of date content, or status following a parent's or community member's objection.
- 6. The procedure for developing library media center and reading list collections will be posted on the website for each school in the District.
- 7. Upon written request, an individual will be provided access to material or books specified in the written request that are maintained in a District library if such material or books are available for review. The Principal shall arrange for a convenient time to provide such access.
- 8. Each elementary school must publish on its website, in a searchable format, a list of all materials maintained and accessible in the school library media center or a classroom library which can be checked out or used by a student or required as part of a school or grade-level reading list. The format must:
  - a. identify the type of material maintained in the library media center by category, such as books, ebooks, periodicals, and videos;
  - b. list, at a minimum, the following information:
    - i. the title and author for books and ebooks;
    - ii. the name or title for periodicals and videos; and,
    - iii. the title for any other material maintained in the media center.
- 9. Books and ebooks must be searchable by, at a minimum, author and title. All other materials must be searchable by, at a minimum, title.

#### G. Purchase of Instructional Materials

- 1. Following adoption by the Board, requisitions shall be issued to purchase current instructional materials from the State-adopted instructional materials list so that each student in kindergarten through grade 12 will have a major tool of instruction in core courses of the subject areas of mathematics, language arts, science, social studies, reading, and literature. Any materials purchased shall be free of pornography and material prohibited under F.S. 847.12, suited to student needs and their ability to comprehend the material presented, and appropriate for the grade level and age group for which the materials are used or made available. The Board will purchase all materials as a separate line item on the regular (non-consent) agenda and will provide reasonable opportunity for public comment.
- 2. Requisitions shall also be issued to purchase instructional materials that will be the major tool of instruction for subjects in the State Course Code Directory for which the Board has adopted courses of study, but for which there are no materials on the State-adopted instructional materials list.
- 3. The Superintendent shall approve these purchases.
- 4. In any year in which the total instructional materials allocation for District has not been expended or obligated prior to June 30th, the unobligated amount shall be carried forward and added to the next year's allocation.
- 5. The District shall maintain on its website a current list of instructional materials, by grade level, purchased by the District.

# H. Replacement and Purchase of Instructional Materials by Students/Parents

- 1. Students shall be held responsible for the cost of replacing any instructional materials lost, destroyed, or unnecessarily damaged. Failure to provide payment for the damage or loss may result in the suspension of the student from participation in extra-curricular activities, or the debt may be satisfied by the student performing community service activities at the school site as determined by the school principal.
- 2. A student or his/her parent(s) may purchase a copy of the designated course instructional materials, regardless of format, for the District's purchase price, including shipping, plus ten percent (10%).
- 3. Cost of materials may be charged for materials used in those activities beyond the basic curriculum in which a student elects to participate, particularly in activities where the product becomes the property of the student.



1. A parent or resident must file a petition with the Board within thirty (3P) calendar days after the Board's adoption of specific instructional material, on a form provided by the Board. The petition form (2520 F1) shall be publicly available

by visiting any school in person or by accessing the link on the Board's website. The petition must be signed by the parent or resident, include the required contact information, and state the objection to the instructional material based on the criteria set forth in F.S. 1006.31(2) or 1006.40(3)(d).

#### J. Timeframe for Hearing

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

#### **K. Hearing Officers**

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

#### L. Procedures for Hearings

- 1. Petitioners will have an adequate and fair opportunity to be heard and present evidence to the hearing officer. Hearings shall be conducted as follows:
  - a. The petitioner may make an opening statement.
  - b. The District's representative may make an opening statement.
  - c. The petitioner may present evidence (including documents and testimony from witnesses) that instructional material does not meet the criteria of F.S. 1006.31(2) or 1006.40(3)(d) if it was selected for use in a course or otherwise made available to students in the School District but was not subject to the public notice, review, comment, and hearing procedures under F.S. 1006.283(2)(b)8., 9., and 11.
  - d. The District representative may present evidence (including documents and testimony from witnesses) that the instructional material does meet the criteria of F.S. 1006.31(2) or 1006.40(3)(d) if it was selected for use in a course or otherwise made available to students in the School District but was not subject to the public notice, review, comment, and hearing procedures under F.S. 1006.283(2)(b)8., 9., and 11.
  - e. The petitioner may make a closing statement.
  - f. The District representative may make a closing statement.
- 2. Within fourteen (14) days of the date of the hearing, the hearing officer shall submit a recommended order to the Board. The Board shall consider the recommended order and enter a final order at a publicly noticed Board meeting. If the petitioner proves that instructional material does not meet the criteria required under F.S.1006.28, or contains prohibited material under that statute, it shall be removed in accordance with Florida law. The Board's decision is final and not subject to further petition or review.
- 3. Hearings under this policy are not subject to the provisions of F.S. Chapter 120.

# M. Process for Objection of Non-State-Adopted Instructional Materials (Classroom and Library)

- 1. Reference to non-state adopted instructional materials are in use in the classroom and/or other material that may be placed in the school's library.
- 2. A parent/legal guardian of a public school student or a resident of the county shall use the following procedures to present evidence that the material does not meet the criteria of F.S. 1006.28 and 1006.40(3)(d) by requesting reconsideration of the challenged material.

# 3. Procedures:

- a. A parent/legal guardian, student, or district resident who has an objection(s) to the use of specific non-state adopted instructional material accessed in school classrooms and/or libraries must first request, in writing to the Assistant Superintendent of Curriculum and Instruction. The Assistant Superintendent or designee will schedule the follow-up to the requestor.
- b. Each impacted school will be notified by the Assistant Superintendent of Curriculum and Instruction to commence the informal review of the material/s in consideration of F.S. 1006.28 and F.S. 1006.40(3)(d) sections 1, 2, and 3.

c. Results of the informal review will be shared with the petitioner within thirty (30) days excluding summer, winter break, or spring break. Informal requests and their results will be posted on the District Library/Media website.
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- d. If the requester is not satisfied with the results of the informal review, the parent/legal guardian or resident will be provided with the Request for Objection Form (Form 25201 F2) to file a written request for reconsideration. The Assistant Superintendent or designee shall also provide an explanation of the process that will be followed. Any such written request for reconsideration will be filed with the Assistant Superintendent of Curriculum and Instruction or designee.
- e. The Request for Objection Form (Form 25201 F2) per title must be filed with the Assistant Superintendent of Curriculum and Instruction. The Assistant Superintendent shall notify the Library/Media Content Specialist, the Superintendent, and the Board.
- f. Schools with the identified titles will be notified to remove the books from circulation pending the outcome of the objection process.
- g. Upon receipt of a Request for Objection Form (Form 25201 F2), the District Library/Media Content Specialist shall convene the District Material Review Advisory Committee to review the objectionable materials. The District Material Review Advisory Committee shall be established at the beginning of each school year. The District Material Review Advisory Committee shall include:
  - the District library media content specialist or designee (who shall serve as the Non-Voting Committee's chair);
  - 2. one (1) parent/legal guardian/community member per school board member preselected to serve excluding the requestor.
  - 3. at least one (1) committee member must be a parent/legal guardian of students who will have access to such materials.
  - 4. in the event of the need for additional committees the Board has the authority to add additional review advisory committees following the established protocols.
- h. In preparation for its review:
  - Each member of the District Material Review Advisory Committee shall receive a copy of the completed Request for Objection Form (Form 25201 F2) and any other information about the objectionable material that the District Material Review Advisory Committee may want to see.
  - 2. The District Review Advisory Committee will receive a copy of the book and given adequate time to read the book. (A minimum of one (1) week per every 100 pages 100 pages within the book per week within the book or at an increased pace based on committee determination) The District will utilize existing book copies prior to purchasing new books.
  - 3. The District Material Review Advisory Committee shall meet in the Sunshine (meaning the meeting shall be open to the public and advertised at the District level).
  - 4. The District Material Review Advisory Committee shall meet to review the objectionable material within fifteen (15) working days after the process of reading has been completed per book up for reconsideration.
- i. The advisory committee, in evaluating the material questioned, shall be guided by F.S. 1006.28 and 1006.40 and the following criteria:
  - 1. The District Material Review Advisory Committee shall have an understanding of the entire work.
  - 2. The appropriateness of the material for the age and maturity level of the students with whom it is being used
  - 3. The accuracy of the material
  - 4. The objectivity of the material
  - 5. The use being made of the material
- j. The advisory committee's recommendation shall be based on one (1) of the following:
  - 1. the objectionable instructional material contains prohibited content under F.S. 1006.40(3) (pornographic or depicts sexual conduct or not suited to student needs or inappropriate for age and grade level) and/or contains prohibited content under F.S. 1006.28 or 1006.40. The recommendation would be to discontinue use of the material for any grade level or age group for which the committee determines such use is inappropriate or unsuitable. The District Material Review Advisory Committee's recommendation will be submitted.



OR

2. the objectional instructional material does not contain prohibited content under 5. 5. 1886.38 and 1006.40. The recommendation would be for the instructional materials(s) to remain available in the

schools for which the committee determined the grade level was appropriate and/or recommend limited access for specific grade levels deemed appropriate.

- k. The recommendation will be reported to the Superintendent in writing within two (2) student school days following the completion of the process. The Superintendent or designee will advise the requestor, in writing, of the committee's recommendation that will be submitted to the Board. The Superintendent or designee will submit the committee recommendation to the Board for final decision-making.
- I. The Board's decision is final for five (5) years.
- m. Any material that is subject to an objection on the basis that it is pornographic or prohibited under F.S. 847.012 or depicts or describes sexual conduct as defined in F.S. 847.001(19) (unless such material is for a course required by F.S. 1003.46, F.S. 1003.42(2)(n)1.g., F.S. 1003.42(2)(n)3., or identified by State Board of Education rule) must be removed within five (5) school days of receipt of the objection and remain unavailable to students of that school until the objection is resolved.
- n. Parents shall have the right to read passages from any material that is subject to an objection. If the Board denies a parent the right to read passages due to content that is subject to an objection on the basis that it is pornographic or prohibited under F.S. 847.012 or depicts or describes sexual conduct as defined in F.S. 847.001(19) (unless such material is for a course required by F.S. 1003.46, F.S. 1003.42(2)(n)1.g., F.S. 1003.42(2)(n)3., or identified by State Board of Education rule), the District shall discontinue the use of the material.
- o. If the Board finds that any material meets the requirements under F.S. 1006.28(2)(a)2.a or that any other material contains prohibited content under F.S. 1006.28(2)(a)2.b.(I), the District shall discontinue use of the material.
- p. If the Board finds that any other material contains prohibited content under F.S. 1006.28(2)(a)2.b.(II)-(IV), the District shall discontinue use of the material for any grade level or age group for which such use is inappropriate or unsuitable.
- q. If a parent disagrees with the determination made by the Board on the objection to the use of a specific material, a parent may request the Commissioner of Education to appoint a special magistrate who is a member of The Florida Bar in good standing and who has at least five (5) years' experience in administrative law. The special magistrate shall determine facts relating to the District's determination, consider information provided by the parent and the District, and render a recommended decision for resolution to the State Board of Education within thirty (30) days after receipt of the request by the parent.
- r. The State Board of Education must approve or reject the recommended decision at its next regularly scheduled meeting that is more than seven (7) calendar days and no more than thirty (30) days after the date the recommended decision is transmitted. The costs of the special magistrate shall be borne by the District.

#### N. Free School-Related Instructional Materials

- 1. Free instructional materials may be accepted for classroom and school purposes under conditions that meet all the following criteria:
  - a. The initiative for securing the materials should be of the type that teachers seek rather than materials forwarded to them to promote the interests of an outside agency.
  - b. The materials should fill a legitimate purpose of the school curriculum.
  - c. The advertising feature of the materials should be minimized. Educational films should contain a minimum amount of commercial advertising.

# O. Equipment or Instructional Materials Vendors

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

# P. New Worlds Reading Initiative

1. The New Worlds Reading Initiative, created by the Florida Department of Education, provides high-quality, free books directly to Prekindergarten-5 students who are not yet reading on grade level, who score below a level 3 in the preceding year's Statewide English Language Arts Assessment (ELA), or having a substantial reading deficiency identified under F.S. 1008.25, or who have a substantial deficiency in early literacy skills based upon the results of the coordinated screening and progress monitoring under F.S. 1008.25.

2. The School District must notify parents of eligible students upon enrollment and at the beginning of each school year options for specific book topics or genres in order to maximize student interest in reading. The District must coordinate monthly book deliveries with the program administrator beginning through at least June. The District must participate in the initiative by partnering with local nonprofit organizations

and raising awareness by using marketing materials provided by the program administrator. A student's eligibility for the initiative continues until promotion to grade 6 or until the parent opts out of the initiative.

- 3. The District shall coordinate with each charter school it sponsors for the purposes of identifying eligible students, notifying parents, coordinating book deliveries, providing the opportunity to annually select book topics and genres, and raising awareness of the initiative.
- 4. The District shall also establish a data sharing agreement with the initiative's administrator to allow for a streamlined student verification and enrollment process.
- 5. The Statewide ELA is not the sole determiner of promotion. Additional evaluations, portfolio reviews, and assessments are available to the child to assist parents and schools in identifying the reading level of the student. A parent of a student in grade 3 who is identified anytime during the year as being at risk of retention may request that the school begin collecting evidence for a portfolio.

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F.A.C. 6A-7.0715

F.S. 119.071

F.S. 212.183

F.S. 1001.215

F.S. 1002.22

F.S. 1003.485

F.S. 1006.28

F.S. 1006.28 through 1006.42

F.S. 1006.40

F.S. 1008.22

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F.S. 1008.25 (5) (c)

F.S. 1014.05

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#### 2521 - INSTRUCTIONAL MATERIALS PROGRAM

#### A. Instructional Materials

- 1. The Board shall provide instructional materials and equipment, within budgetary constraints, to implement the District's educational goals and objectives and to meet students' needs. The primary objective of such instructional materials and equipment shall be to enrich, support, and implement the educational program of the school. Instructional materials used in the District shall be consistent with the District goals and objectives and the course descriptions established by the State Board of Education and the State standards provided for in F.S. 1003.41. State law requires the Board to provide adequate instructional materials free of charge to students who are enrolled in the District.
- 2. "Adequate instructional materials" means a sufficient number of student or site licenses or sets of materials that are available in bound, unbound, kit, or package form and may consist of hard-backed or soft-backed textbooks, electronic content, consumables, learning laboratories, manipulatives, electronic media, and computer courseware or software that serves as the basis for instruction for each student in the core courses of mathematics, language arts, social studies, science, reading, and literature.
- 3. Furthermore, Federal law requires the Board to provide accessible instructional materials as specified in a student's IEP. Such accessible instructional materials may be of a type or in a format as specified in the definition of adequate instructional materials in this policy.
- 4. "Library media center" means any collection of books, ebooks, periodicals or videos maintained and accessible on the site of a school, including in classrooms.
- 5. The Board hereby establishes an instructional materials program that includes the review, recommendation, adoption, and purchase of instructional materials. The program shall be implemented in accordance with the terms of this policy and administrative procedures adopted in accordance herewith. The program shall comply with all applicable provisions of F.S. Chapter 1006, Part I, F. Instructional Materials for K-12 Public Education.

# B. Certification by Superintendent

- 1. By March 31st of each year, the Superintendent shall certify to the Florida Department of Education (FLDOE) by March 31st of each year (1) that all instructional materials for core courses used by the District are aligned with applicable State standards; and (2) that the District's process for review, selection and adoption of instructional materials complies with the hearing and public meeting requirements of the Board and F.S. 1006.283. A list of the core instructional materials that will be used or purchased for use by the District shall be included in the certification.
- 2. On or before July 1 each year, the Superintendent will certify to the Commissioner of Education (1) the estimated Allocation of State funds for instructional materials for the ensuing fiscal year; and (2) that school librarians and media specialists who are involved in the selection of library media materials for students have completed the online Library Media Training course.

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

# C. Instructional Materials Program and Processes, Criteria and Requirements

- 1. <u>Selection, Duties, and Qualifications of Reviewers, Review of Instructional Materials, Recommendations of Reviewers, and Selection of Instructional Materials by Reviewer</u>
  - a. The Board may employ or contract with one (1) or more instructional materials reviewers, one (1) or more of whom must be a parent with a child in a District public school. The qualifications of the instructional materials reviewer shall be set forth in the Board-approved job description for the position, or, alternatively, in the contract for services.
  - b. The duties of an instructional materials reviewer are:
    - to adhere to prescribed procedures for evaluating instructional materials submitted by publishers and manufacturers in each adoption.
    - ii. to utilize the selection criteria set forth in State law, including F.S. 1006.34(2)(b) and recommend for adoption only those instructional materials aligned with State standards provided for in F.S. 1003.41.
  - c. Instructional materials recommended by each reviewer shall be, to the satisfaction of each reviewer, accurate, objective, balanced, noninflammatory, current, free of pornography and material prohibited under F.S. 847.12, and suited to student needs and their ability to comprehend the material presented. Reviewers shall consider for recommendation materials developed for academically talented students, such as students enrolled in advanced placement courses. When recommending instructional materials, each reviewer shall:
    - i. include only instructional materials that accurately portray the ethnic, socioeconomic, cultural, religious, physical, and racial diversity of our society, including men and women in professional, career, and executive roles and the role and contributions of the entrepreneur and labor in the total development of this State and the United States:
    - ii. include only materials that accurately portray, whenever appropriate, humankind's place in ecological systems, including the necessity for the protection of our environment and conservation of our natural resources and the effects on the human system of the use of tobacco, alcohol, controlled substances, and other dangerous substances;
    - iii. include materials that encourage thrift, fire prevention, and humane treatment of people and animals;
    - iv. require, when appropriate to the comprehension of students, that materials for social science, history, or civics classes contain that Declaration of Independence and the Constitution of the United States.
  - d. A reviewer may not recommend any instructional materials that contain any matter reflecting unfairly upon persons because of their race, color, creed, national origin, ancestry, gender, religion, disability, socioeconomic status, or occupation.
  - e. When such instructional materials are for foundational reading skills, include only materials that are based on the science of reading and include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies within such materials may not employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Instructional strategies within such materials may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but may not be used to teach word reading.
  - f. In the selection of instructional materials, library media, and other reading material used in the District, the standards used to determine the propriety of the material shall include:
    - i. the age of the students who normally could be expected to have access to the material;
    - ii. the educational purpose to be served by the material.
- g. In considering instructional materials for classroom use, priority shall be given to the selection of materials which encompass the State and Board performance standards provided for in F.S. 1001.03(1) and which include the instructional objectives contained within the curriculum frameworks approved by rule of the State Board of Education.

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- i. the degree to which the material would be supplemented and explained by mature classroom instruction as part of a normal instructional program;
- ii. the consideration of the broad racial, ethnic, socioeconomic, and cultural diversity of the students of this State
- h. Any instructional material containing pornography or otherwise prohibited by F.S. 847.012 may not be used or made available within any public school.
- i. After a thorough study of all data submitted on each instructional material, the reviewer shall submit an electronic report to the Superintendent for presentation to the Board. The report shall be in substantially the same format as the form used by the FLDOE. All instructional materials recommended by a reviewer shall be accompanied by a statement from the reviewer that the materials align with State standards pursuant to F.S. 1003.41 and the requirements of F.S. 1006.31. If such instructional materials are for foundational reading skills, the materials shall be based on the science of reading and include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies within such instructional materials may not employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. The instructional strategies within such instructional materials may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but may not be used to teach word reading.

# D. Certification of the Accuracy of Instructional Materials

- 1. In addition to relying on statements of publishers or manufacturers of instructional materials, the reviewer may, with the approval, and subject to the direction of the Superintendent, conduct or cause to be conducted an independent investigation to determine the accuracy of State-adopted instructional materials.
- 2. When errors in Board-adopted materials are confirmed, the publisher of the materials shall provide to each district school board that has purchased the materials the corrections in a format approved by the department.
- 3. The Board may remove materials from the list of Board-adopted materials if it finds that the content is in error and the publisher refuses to correct the error when notified by the Board.
- 4. The Board may remove materials from the list of Board-adopted materials at the request of the publisher if, in its opinion, there is no material impact on the State's education goals.

#### E. Affidavit of Instructional Materials Reviewer

- 1. Before commencing his/her duties, a District instructional materials reviewer shall execute an affidavit which substantially includes the following requirements of F.S. 1006.30.
  - a. The reviewer will faithfully discharge the duties imposed upon him/her.
  - b. The reviewer has no interest in any publishing or manufacturing organization that produces or sells instructional materials.
  - c. The reviewer is in no way connected with the distribution of the instructional materials.
  - d. The reviewer does not have any direct or indirect pecuniary interest in the business or profits of any person engaged in manufacturing, publishing, or selling instructional materials designed for use in the public schools.
  - e. The reviewer will not accept any emolument or promise of future reward of any kind from any publisher or manufacturer of instructional materials or his/her agent or anyone interest in, or intending to bias his/her judgment in any way in, the selection of any materials to be adopted.
  - f. The reviewer understands that it is unlawful to discuss matters relating to instructional materials submitted for adoption with any agent of a publisher or manufacturer of instructional materials, either directly or indirectly, except during the period when the publisher or manufacturer is providing a presentation for the reviewer during his/her review of the instructional materials submitted for adoption.

# F. Board Adoption of Instructional Materials

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

AMERIC 2. Following the public hearing, the Board shall publish notice indicating the date, time, and location of an open public meeting to approve an annual instructional materials plan to identify any instructional materials that will be purchased through the Board instructional materials review process pursuant to this policy. This public meeting will be held on a different date than the public hearing.

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- 3. Notice of the public hearing and public meeting identified herein shall specifically identify which instructional materials are being reviewed and the matter in which the instructional materials can be accessed for public review. The hearing must allow the parent of a District student or a resident of the county to proffer evidence that a recommended instructional material does not meet the criteria provided in F.S. 1006.31(2), taking into consideration course expectations based on the District's comprehensive plan for student progression under F.S. 1008.25(2) and course descriptions in the course code directory.
  - a. For purposes of this policy, "resident" means a resident of the county who has maintained his/her residence in Florida for the preceding year, has purchased a home that is occupied by him/her as his/her residence, or has established a domicile in Florida pursuant to F.S. 222.17.
- 4. At least twenty (20) calendar days before the Board hearing and public meeting, the Board shall make available online to the public through the District's website all student editions of the recommended instructional materials. In making these materials available, District staff shall implement reasonable safeguards against the unauthorized use, reproduction, and distribution of instructional materials considered for adoption.

#### G. Publication on Website: List of Instructional Materials and Process to Limit Student Access

- 1. The Board will publish on its website, in a searchable format, a list of all instructional materials, including those used to provide required instruction under Florida law.
- 2. The Board will also adopt and publish on its website the process for a parent to limit his/her student's access to materials in the school or classroom library.

# H. Purchase of Instructional Materials, Including Advertising and Bidding

- 1. Beginning on or before May 15th of any year in which an instructional materials adoption is to be initiated, the District shall advertise in a local newspaper of general circulation (the Florida Administrative Register) four (4) weeks preceding the date on which the bids shall be received, that at a certain designated time, not later than June 15th, sealed bids or proposals to be deposited with the District will be received from publishers or manufacturers for the furnishing of instructional materials proposed to be adopted as listed in the advertisement beginning April 1st following the adoption.
- 2. The advertisement shall state that each bidder shall furnish electronic sample copies of all instructional materials submitted, at a time designated by the District, which copies shall be identical with the copies approved and accepted by State instructional materials reviewers, and with the copies furnished to the District and Superintendent.
- 3. The advertisement shall state that a contract covering the adoption of the instructional materials shall be for a definite term
- 4. The advertisement shall fix the time within which the required contract must be executed and shall state that the Department reserves the right to reject any or all bids.
- 5. The advertisement shall give information regarding digital specifications that have been adopted by the Board, including minimum format requirements that will enable electronic and digital content to be accessed through the District's local instructional improvement system and a variety of mobile, electronic, and digital devices.
- 6. Beginning with specifications released in 2014, the digital specifications shall include requiring the capability for searching by State standards and site and student-level licensing. Such digital format specifications shall be appropriate for the interoperability of the content. The Board will not adopt specifications that require the instructional materials to include specific references to State mandated testing and Next Generation Sunshine State Standards and benchmarks at the point of student use.
- 7. The bids submitted shall be for furnishing the designated materials in accordance with specifications of the District.

  The bid shall state the lowest wholesale price at which the materials will be furnished, at the at the time the adoption period provided in the contract begins.
- 8. Each publisher or manufacturer of instructional materials who submits a bid under this part is required to deposit with the District such sum of money or certified check as may be determined by the District, the amount to be not less than \$500 and not more than \$2,500, according to the number of instructional materials covered by the bid, which deposit shall be forfeited to the Board and placed in the (General Revenue Fund) General Fund if the bidder making the deposit fails or refuses to execute the contract and bond within thirty (30) days after receipt of the contract in case his/her bid or proposal is accepted. The District shall, upon determining that the deposit is correct and proper, deposit the funds in an interest bearing trust account and issue his/her official receipt.
- 9. Sample copies of all instructional materials that have been made the basies of contracts under this policy shall upon request for the purpose of public inspection, be made available by the publisher to the Department of Education and the Superintendent from the State list upon request for the purpose of public inspection.
- 10. Any materials purchased shall be free of pornography and material prohibited under F.S. 847.12, suited to student needs and their ability to comprehend the material presented, and appropriate for the grade grade group for

which the materials are used or made available.

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

#### I. Review Cycle for Instructional Materials by Subject Area

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

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

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

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

- 1. The District shall notify parents through the District's website and in writing annually of their ability to access their children's instructional materials.
- 2. Upon written request, an individual will be provided access to material or books specified in the written request that are maintained in a District library if such material or books are available for review. The school principal shall arrange for a convenient time to provide such access.

# L. Maximization of Student Use of District-approved Instructional Materials

- 1. In order to maximize student use of authorized instructional materials, the Board shall:
  - a. purchase current instructional materials to provide each student with a major tool of instruction in core courses of the subject areas of mathematics, language arts, science, social studies, reading, and literature for kindergarten through grade 12;
  - b. by the 2015-2016 fiscal year, use at least fifty percent (50%) of the annual allocation for the purchase of digital or electronic instructional materials included on the State-adopted list, except as otherwise authorized by law or rules of the State Board of Education;
  - c. use up to 100% of that portion of the annual allocation designated for the purchase of instructional materials for kindergarten, and up to seventy-five percent (75%) of that portion of the annual allocation designated for the purchase of instructional materials for first grade, to purchase materials not on the State-adopted list, which shall be used for the purchase of instructional materials or other items having intellectual content which assist in the instruction of a subject or course.
- 2. These items may be available in bound, unbound, kit, or package form and may consist of hardbacked or soft backed textbooks, electronic content, replacements for items which were part of previously purchased instructional materials, consumables, learning laboratories, manipulatives, electronic media, computer courseware or software, and other commonly accepted instructional tools.
- 3. The Superintendent shall implement procedures that will assure the maximum use by the students of the authorized instructional materials.

# M. Required Curriculum

- 1. Nothing in this policy shall limit or remove the responsibility of the Board to include in its curriculum the required instruction specified in State law including, but not limited to, the following:
  - a. The history of the United States; the history of the Holocaust.
  - b. The history of African Americans.
  - c. The study of Hispanic contributions to the United States.
  - d. The study of women's contributions to the United States.
  - e. The nature and importance of free enterprise to the United States economy.
  - f. The elementary principles of agriculture; and kindness to animals.

- 1. In accordance with State law, all publishers and manufacturers of instructional materials, and their representatives, must comply with the requirements of F.S. 1006.38. These requirements include, but are not limited to, the following:
  - a. Electronically deliver fully developed sample copies of all instructional materials upon which bids are based to the department pursuant to procedures adopted by the State Board of Education.
- 2. Submit, at a time designated in F.S. 1006.33, the following information:
  - a. Detailed specifications of the physical characteristics of the instructional materials, including any software or technological tools required for use by the District, school, teachers, or students. The publisher or manufacturer shall comply with these specifications if the instructional materials are adopted and purchased in completed form.
  - b. Evidence that the publisher or manufacturer has provided materials that address the performance standards provided for in F.S. 1001.03(1) and that can be accessed through the District's digital classrooms plan and a variety of electronic, digital, and mobile devices.
  - c. Evidence that the instructional materials include specific reference to Statewide standards in the teacher's manual and incorporate such standards into chapter tests or the assessments.
- 3. Make available for purchase by the Board any diagnostic, criterion-referenced, or other tests that they may develop.
- 4. Furnish the instructional materials offered by them at a price in the State which, including all costs of electronic transmission, may not exceed the lowest price at which they offer such instructional materials for adoption or sale to any state or school district in the United States.
- 5. Reduce automatically the price of the instructional materials to the Board to the extent that reductions are made elsewhere in the United States.
- 6. Provide any instructional materials free of charge in the State to the same extent as they are provided free of charge to any state or school district in the United States.
- 7. Guarantee that all copies of any instructional materials sold in this State will be at least equal in quality to the copies of such instructional materials that are sold elsewhere in the United States and will be kept revised, free from all errors, and up-to-date as may be required by the department.
- 8. Agree that any supplementary material developed at the District or State level does not violate the author's or publisher's copyright, provided such material is developed in accordance with the doctrine of fair use.
- 9. Not in any way, directly or indirectly, become associated or connected with any combination in restraint of trade in instructional materials, nor enter into any understanding, agreement, or combination to control prices or restrict competition in the sale of instructional materials for use in the State.
- 10. Maintain or contract with a depository in the State.
- 11. For the core subject areas specified in F.S. 1006.40(2), maintain in the depository for the first three (3) years of the contract an inventory of instructional materials sufficient to receive and fill orders.
- 12. For the core subject areas specified in F.S. 1006.40(2), ensure the availability of an inventory sufficient to receive and fill orders for instructional materials for growth, including the opening of a new school, and replacement during the 3rd and subsequent years of the original contract period.
- 13. Accurately and fully disclose only the names of those persons who actually authored the instructional materials.
- 14. Grant, without prior written request, for any copyright held by the publisher or its agencies automatic permission to the Board for the reproduction of instructional materials and supplementary materials in Braille, large print, or other appropriate format for use by visually impaired students or other students with disabilities that would benefit from use of the materials.

#### O. Assessment and Collection of Fees

- The Board shall not assess and collect fees from publishers participating in the instructional materials approval
  process. In addition, each reviewer may be compensated for evaluation of materials in compliance with F.S. 112.061
  for actual service in meetings.
- 2. Instructional materials that have been reviewed by the District instructional materials reviewers and approved must have been determined to align with all applicable State standards pursuant to F.S. 1003.41 and the requirements in F.S. 1006.31. The Superintendent shall annually certify to the FLDOE that all instructional materials for core courses used by the District are aligned with all applicable State standards.
- 3. A list of all approved instructional materials shall be maintained by the Superintendent and made available for the use of the instructional staff.

#### P. Fees Charged to Parents

- 1. A student or his/her parent/legal guardian(s) may purchase a copy of the designated course instructional materials, regardless of format, for the District's purchase price, including shipping, (plus ten percent (10%).
- 2. Cost of materials may be charged for materials used in those activities beyond the basic curriculum in which a student elects to participate, particularly in activities where the product becomes the property of the student.

#### Q. Free School-Related Instructional Materials

- 1. Free instructional materials may be accepted for classroom and school purposes under conditions that meet all of the following criteria:
  - a. films should contain a minimum amount of commercial advertising. The advertising feature of the materials should be minimized.
  - b. The materials should fill a legitimate purpose of the school curriculum.
  - c. The initiative for securing the materials should be of the type that teachers seek rather than materials forwarded to them to promote the interests of an outside agency.

### R. Equipment or Instructional Materials Vendors

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

#### S. Public Inspection of Sample Copies of Instructional Materials

 In addition to the requirements for public inspection of sample copies of instructional materials required by this policy, the Board shall make available for public inspection sample copies of all instructional materials that have been purchased by the Board. Members of the public seeking to inspect these materials shall contact the District's Instructional Materials Manager.

#### T. Process for Parents and Residents to Contest Adoption of Instructional Materials

- 1. The following individuals may file an objection to the adoption of a specific instructional material:
  - a. parents/legal guardians of students in the District; and residents of the county.
- 2. For purposes of this policy, "resident" means a resident of the county who has maintained his/her residence in Florida for the preceding year, has purchased a home that is occupied by him/her as his/her residence, or has established a domicile in Florida pursuant to F.S. 222.17.

#### U. Filing a Petition

1. A parent/legal guardian or resident must file a petition with the Board within thirty (30) calendar days after the Board's adoption of specific instructional material, on a form provided by the Board. The petition form (2520 F1/F2) shall be publicly available by visiting any school in person or by accessing the link on the Board's website. The petition must be signed by the parent/legal guardian or resident, include the required contact information, and state the objection to the instructional materials based on the criteria set for in F.S. 1006.31(2) or 1006.40(3)(d).

# V. Timeframe for Hearing

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

# W. Hearing Officers

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

# X. Procedures for Hearings

1. Petitioners will have an adequate and fair opportunity to be heard and present evidence to the hearing officer.

A Hearings shall be conducted as follows:

a. The petitioner may make an opening statement.

- c. The petitioner may present evidence (including documents and testimony from witnesses) that instructional material does not meet the criteria of F.S. 1006.31(2) or 1006.40(3)(d) if it was selected for use in a course or otherwise made available to students in the School District but was not subject to the public notice, review, comment, and hearing procedures under F.S. 1006.283(2)(b)8., 9., and 11.
- d. The District representative may present evidence (including documents and testimony from witnesses) that the instructional material does meet the criteria of F.S. 1006.31(2) or 1006.40(3)(d) if it was selected for use in a course or otherwise made available to students in the School District but was not subject to the public notice, review, comment, and hearing procedures under F.S. 1006.283(2)(b)8., 9., and 11.
- e. The petitioner may make a closing statement.
- f. The District representative may make a closing statement.
- 2. Within fourteen (14) days of the date of the hearing, the hearing officer shall submit a recommended order to the Board. The Board shall consider the recommended order and enter a final order at a publicly noticed Board meeting. If the petitioner proves that instructional material does not meet the criteria required under F.S. 1006.28, or contains prohibited material under that statute, it shall be removed in accordance with Florida law.
- 3. The Board's decision is final and not subject to further petition or review. Hearings under this policy are not subject to the provisions of F.S. Chapter 120. Parent Objection to Instructional Material Used in Classrooms.
- 4. Parents may object to the use by their child of a specific instructional material in the classroom as set forth in Florida law. Parents should make any such objection in writing to the principal, at least ten (10) days before the intended use of the material, identifying the specific instructional material and stating the basis for the objection using the Request for Objection Form (Form 25201 F2). The principal will review the parent objection and may meet with the teacher or parents/legal guardians, or both, in an attempt to resolve the objection, which may include using an alternative instructional material for the child. If the objection is not resolved to the parents'/legal guardians' satisfaction, the principal shall refer the matter to the appropriate District-level curriculum supervisor. The decision of the District-level curriculum supervisor shall be final.

#### Y. Process for Objection of Non-State-Adopted Instructional Materials (Classroom and Library)

- 1. Reference to non-state adopted instructional materials are in use in the classroom and/or other material that may be placed in the school's library.
- 2. A parent/legal guardian of a public school student or a resident of the county shall use the following procedures to present evidence that the material does not meet the criteria of F.S. 1006.28 and 1006.40(3)(d) by requesting reconsideration of the challenged material.

# 3. Procedures:

- a. A parent/legal guardian, student, or district resident who has an objection(s) to the use of specific non-state adopted instructional material accessed in school classrooms and/or libraries must first request, in writing to the Assistant Superintendent of Curriculum and Instruction. The Assistant Superintendent or designee will schedule the follow-up to the requestor.
- b. Each impacted school will be notified by the Assistant Superintendent of Curriculum and Instruction to commence the informal review of the material/s in consideration of F.S. 1006.28 and F.S. 1006.40(3)(d) sections 1, 2, and 3.
- c. Results of the informal review will be shared with the petitioner within 30 days excluding summer, winter break, or spring break. Informal requests and their results will be posted on the district Library/Media website.
- d. If the requester is not satisfied with the results of the informal review, the parent/legal guardian or resident will be provided with the Request for Objection Form (Form 2520± F2) to file a written request for reconsideration. The Assistant Superintendent or designee shall also provide an explanation of the process that will be followed. Any such written request for reconsideration will be filed with the Assistant Superintendent of Curriculum and Instruction or designee.
- e. The Request for Objection Form (Form 25201 F2) per title must be filed with the Assistant Superintendent of Curriculum and Instruction. The Assistant Superintendent shall notify the Library/Media Content Specialist, the Superintendent, and the Board.
- f. Schools with the identified titles will be notified to remove the books from circulation pending the outcome of the objection process.
- g. Upon receipt of a Request for Objection Form (Form 25201 F2) the District Library Media Content Specialist shall convene the District Material Review Advisory Committee to review the objectionable materials. The

District Material Review Advisory Committee shall be established at the beginning of each school year. The District Material Review Advisory Committee shall include:

- the District library media content specialist or designee (who shall serve as the Non-Voting Committee's chair);
- one (1) parent/legal guardian/community member per school board member preselected to serve excluding the requestor;
- 3. at least one (1) committee member must be a parent/legal guardian of students who will have access to such materials.
- 4. In the event of the need for additional committees the Board has the authority to add additional review advisory committees following the established protocols.
- h. In preparation for its review:
  - Each member of the District Material Review Advisory Committee shall receive a copy of the completed Request for Objection Form (Form 25201 F2) and any other information about the objectionable material that the District Material Review Advisory Committee may want to see.
  - 2. The District Review Advisory Committee will receive a copy of the book and given adequate time to read the book. (A minimum of one (1) week per every 100 pages within the book per week or at an increased pace based on committee determination) The District will utilize existing book copies prior to purchasing new books.
  - 3. The District Material Review Advisory Committee shall meet in the sunshine (meaning the meeting shall be open to the public and advertised at the District level).
  - 4. The District Material Review Advisory Committee shall meet to review the objectionable material within fifteen (15) working days after the process of reading has been completed per book up for reconsideration.
- i. The advisory committee, in evaluating the material questioned, shall be guided by F.S. 1006.28 and 1006.40 and the following criteria:
  - 1. The District Material Review Advisory Committee shall have an understanding of the entire work.
  - 2. The appropriateness of the material for the age and maturity level of the students with whom it is being used.
  - 3. The accuracy of the material.
  - 4. The objectivity of the material.
  - 5. The use being made of the material.
- j. The advisory committee's recommendation shall be based on one of the following:
  - 1. the objectionable instructional material contains prohibited content under F.S. 1006.40(3) (pornographic or depicts sexual conduct or not suited to student needs or inappropriate for age and grade level) and/or contains prohibited content under F.S. 1006.28 or 1006.40. The recommendation would be to discontinue use of the material for any grade level or age group for which the committee determines such use is inappropriate or unsuitable. The District Material Review Advisory Committee's recommendation will be submitted.

OR

- 2. the objectional instructional material does not contain prohibited content under F. S. 1006.28 and 1006.40. The recommendation would be for the instructional material(s) to remain available in the schools for which the committee determined the grade level was appropriate and/or recommend limited access for specific grade levels deemed appropriate.
- k. The recommendation will be reported to the Superintendent in writing within two (2) student school days following the completion of the process. The Superintendent or designee will advise the requestor, in writing, of the committee's recommendation that will be submitted to the Board. The Superintendent or designee will submit the committee recommendation to the Board for final decision making.
- I. The Board's decision is final for five (5) years.

m. Any material that is subject to an objection on the basis that it is pornographic or prohibited under F.S. 847.012 or depicts or describes sexual conduct as defined in F.S. 847.001(19) (unless such material is for a course required by F.S. 1003.46, F.S. 1003.42(2)(n)1.g., F.S. 1003.42(2)(n)2.g. F.S. 1003.42(2)(n)2.g.

- n. Parents shall have the right to read passages from any material that is subject to an objection. If the Board denies a parent the right to read passages due to content that is subject to an objection on the basis that it is pornographic or prohibited under F.S. 847.012 or depicts or describes sexual conduct as defined in F.S. 847.001(19) (unless such material is for a course required by F.S. 1003.46, F.S. 1003.42(2)(n)1.g., F.S. 1003.42(2)(n)3., or identified by State Board of Education rule), the District shall discontinue the use of the material.
- o. If the Board finds that any material meets the requirements under F.S. 1006.28(2)(a)2.a or that any other material contains prohibited content under F.S. 1006.28(2)(a)2.b.(I), the District shall discontinue use of the material.
- p. If the Board finds that any other material contains prohibited content under F.S. 1006.28(2)(a)2.b.(II)-(IV), the District shall discontinue use of the material for any grade level or age group for which such use is inappropriate or unsuitable.
- q. If a parent disagrees with the determination made by the Board on the objection to the use of a specific material, a parent may request the Commissioner of Education to appoint a special magistrate who is a member of The Florida Bar in good standing and who has at least five (5) years' experience in administrative law. The special magistrate shall determine facts relating to the District's determination, consider information provided by the parent and the District, and render a recommended decision for resolution to the State Board of Education within thirty (30) days after receipt of the request by the parent.
- r. The State Board of Education must approve or reject the recommended decision at its next regularly scheduled meeting that is more than seven (7) calendar days and no more than thirty (30) days after the date the recommended decision is transmitted. The costs of the special magistrate shall be borne by the District.
- Z. 1. The District library/media specialist will notify media specialists within the (identified grade band) of any title(s) that are in the objection process. An update of the outcomes will be communicated with media specialists at the conclusion of the process. A link will be added to the public district library/media webpage of any book that has been through the reconsideration process and the outcome of that review.
  - 2. No objectionable material may be removed solely because it presents ideas that may be unpopular or offensive to some. Any Board action to remove material outside of the identified processes above will be accompanied by the Board's statement of its reasons for the removal.
  - 3. The Board shall discontinue use of any material challenged under this policy if it contains content that is pornographic or prohibited under F.S. 847.012, is not suited to student needs and their ability to comprehend the material presented or is inappropriate for the grade level and age group for which the material is used.

#### AA. New Worlds Reading Initiative

- A. The New Worlds Reading Initiative, created by the Florida Department of Education, provides high-quality, free books directly to prekindergarten-5 students who are not yet reading on grade level, who score below a level 3 in the preceding year's Statewide, standardized English Language Arts Assessment (ELA), who have a substantial reading deficiency identified under F. S. 1008.25, or who have a substantial deficiency in early literacy skills based upon the results of the coordinated screening and progress monitoring under F. S. 1008.25. The School District must notify parents/legal guardians of eligible students in writing and provide them with the application form, which must allow for the selection of specific book topics or genres for the student. The District must coordinate monthly book deliveries with the program administrator beginning no later than October and continuing through at least June. However, for the 2021-2022 school year only, the delivery may begin no later than December 31, 2021. The District must participate in the initiative by partnering with local nonprofit organizations and raising awareness by using marketing materials provided by the program administrator. A student's eligibility for the initiative continues until promotion to grade 6 or until the parent/legal guardian opts out of the initiative.
- B. The District shall coordinate with each charter school it sponsors for the purposes of identifying eligible students, notifying parents/legal guardians, coordinating book deliveries, providing the opportunity to annually select book topics and genres, and raising awareness of the initiative.
- C. The District shall also establish a data sharing agreement with the initiative's administrator to allow for a streamlined verification and enrollment process.
- D. The Statewide ELA assessment is not the sole determiner of promotion. Additional evaluations, portfolio reviews, and assessments are available to the child to assist parents/legal guardians and schools in identifying the reading level of the student. A parent/legal guardian of a student in grade 3 who is identified anytime during the year as being at risk of retention may request that the school begin collecting evidence for a portfolio.

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Legal F.A.C. 6A-7.0715

F.S. 119.071 F.S. 1001.215 F.S. 1002.22 F.S. 1003.41 F.S. 1003.485 F.S. 1006.28

F.S. 1006.28 through 1006.42

F.S. 1008.22

F.S. 1008.25(5) (a) F.S. 1008.25(5) (c)

F.S. 1014.05

F.A.C. 6A-6.03028 F.A.C. 7A-7.0713

Last Modified by Paul Gibbs on December 19, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title STUDENT ASSESSMENT

Code \*po2623-1/8/24 JC

Status

Adopted May 1, 2002

Prior Revised Dates December 10, 2018

#### **2623 - STUDENT ASSESSMENT**

- I. The Board shall assess student achievement and needs in all program areas in compliance with the law and rules of the State Board of Education. The purpose will be to determine the progress of students and to assist them in attaining student performance objectives and the educational achievement goals of this District. Each student must participate in the Statewide, standardized assessment program and the local assessment program as required by law.
- Student performance data shall be used in developing objectives for the school improvement plan, evaluating instructional personnel and administrative personnel, assigning staff, allocating resources, acquiring instructional materials and technology, implementing performance-based budgeting, and promoting and assigning students to educational programs. The analysis of student performance data will identify strengths and needs in the educational program and trends over time, and be used in conjunction with budgetary planning and development of remediation programs.
- **III.** The Board shall- require the following:
  - A. mandatory participation by all eligible students as defined by State Board of Education rules;
  - B. industry certification examinations, national assessments, and Statewide assessments offered by the District be made available to all Florida Virtual students in the District;
  - - The District will notify students of the date and time of the administration of each examination or assessment.
  - D. parents be informed of the testing program of the schools and of the Statewide, standardized tests or the local assessments that are to be administered to their children;
  - E. data regarding individual test scores on either the Statewide, standardized tests or the local assessments be entered on the student's cumulative record, where it will be subject to the policy of this Board regarding student records;
  - F. school and District test results will be reported to the public annually;
  - G. the Superintendent shall develop procedures for the annual assessment of first, second, third, and fourth-grade students on their reading proficiency and identify those students who are reading below grade level. S/He shall ensure that each student's teacher is involved in the assessment and in the identification of those students who are reading below grade level.

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

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The Board shall take appropriate and necessary actions against any employee who knowingly and willfully violates test security rules adopted by the Department of Education for any State mandated assessment.

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

At least annually, the staff members will assess the academic achievement and learning needs of each student. Procedures for such assessments may include, but need not be limited to, teacher observation techniques, cumulative student records, student performance data collected through standardized testing programs, and performance based assessments.

The Superintendent shall develop a program of testing that may include, but not be limited to:

- A. State-mandated achievement tests;
- B. end of course tests at appropriate grade levels to measure achievement of performance objectives in designated courses;
- C. diagnostic testing and alternative assessments.

The Board shall require the following:

- A. mandatory participation by all eligible students as defined by State Board of Education rules;
- B. industry certification examinations, national assessment, and Statewide assessments offered by the District be made available to all Florida Virtual School students in the District;
- C. industry certification examinations, national assessment, and Statewide assessments be taken at the student's regularly assigned school unless an alternative site is mutually agreed to by the District and the Florida Virtual School or authorized contractor; The District will notify students of the date and time of the administration of each examination or assessment.
- D. parents/legal guardians be informed of the testing program of the schools and of the special tests that are to be administered to their children:
- E. data regarding individual test scores be entered on the student's cumulative record, where it will be subject to the policy of this Board regarding student records;
- F. school and District achievement test results will be reported to the public annually;
- G. remediation services be provided to any student who scores Level 1 or 2 on the State mandated achievement test; Remediation services shall be provided to any student who does not meet the testing requirement for graduation prior to retesting.
- H. the Superintendent shall develop procedures for the annual assessment of first, second, third, and fourth grade students on their reading proficiency and identify those students who are reading below grade level. S/He shall ensure that each student's teacher is involved in the assessment and in the identification of those students who are reading below grade level.

The District shall notify the parent/legal guardian of each student whose reading skills are below grade level and provide intervention services to each student reading below grade level.

For each student required to be offered remediation services, the District shall involve the student's parent/legal guardian and classroom teacher in developing the intervention strategy and shall offer to the parent/legal guardian the opportunity to be involved in the intervention services.

#### IV. Statewide Standardized Assessment

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

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

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

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

#### VI. Local Assessment Committees

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

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

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

The Superintendent shall also charge the local assessment committees with the responsibility of annually reviewing and analyzing the performance results of the students at each grade level or subject for which they developed the local assessment instrument.

The local assessment committee will also be responsible for analyzing the reliability and validity of the assessment instrument, and making revisions to the instrument, if need be. The superintendent shall provide technical assistance to the committees in determining the reliability and validity of the assessment instrument.

#### **END-OF-OPTION**

# VII. Scheduling of Assessments

A. The Board will establish submit the schedules for the administration of any Statewide, standardized assessments and District-required assessments and approve the schedules as an agenda item at a Board meeting.

The Board to the Department of Education by October 1st of each year. Each District school will publish the testing schedules for Statewide, standardized assessments and District-required assessments on schedule on its website using the —— Department of Education's uniform calendar with (—) the information required by State law. OR (—) the following information.

- 1. Whether the assessment is a District required assessment or a State required assessment.
- 2. The specific date or dates that each assessment will be administered.
- 3. The time allotted to administer each assessment.
- 4. Whether the assessment is a computer-based assessment or a paper-based assessment.
- 5. The grade level or subject area associated with the assessment.
- 6. The date that the assessment results are expected to be available to teachers and parents.
- 7. The type of assessment, the purpose of the assessment, and the use of the assessment results.
- 8. A glossary of assessment terminology.
- 9. Estimates of the average time for administering State-required and District-required assessments, by grade level.

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

B. The Board will not schedule more than five percent (5%) of a student's total school hours in a school year to administer Statewide, standardized assessments, and District required local assessments, the coordinated screening and progress monitoring system under F.S. 1008.25((8)(b)2., 8) (b)2., and District required local assessments. The Board will secure written consent from a student's parent/legal guardian before administering District-required local assessments that, after applicable Statewide, standardized assessments and coordinated screening and progress monitoring are scheduled, exceed the efive percent (5%) test administration limit for that states are the efive percent (5%) test administration limit for that states are the effect of the states are the efficiency of the states are the effect of the states are the efficiency of the states are the effect of the states are the effect of the effect of the effect of the efficiency of the efficiency of the effect of the efficiency of the efficiency of the efficiency of the effect of the efficiency of the efficiency of the effect of the efficiency of the e

administration limit for a student may be exceeded, if necessary, to provide test accommodations that are required by an IEP or are appropriate for an English language learner who is currently receiving services in the District's English language learner program.

#### VIII. Assessment Preparation

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

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

#### VIIIIX. Students with Disabilities

#### A. Participation in Statewide Standardized Assessments with or without Accommodations

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

"Accommodations" are defined as adjustments to the presentation of the Statewide standardized assessment questions, methods of recording examinee responses to the questions, scheduling for the administration of a Statewide standardized assessment to include amount of time for administration, settings for administration of a Statewide standardized assessment, and the use of assistive technology or devices to facilitate the student's participation in a Statewide standardized assessment.

Accommodations that negate the validity of a Statewide standardized assessment are not allowable.

The provision of accommodations for students with disabilities shall be provided in accordance with section 4 (a) through (e) of F.A.C. 6A-1.0943 and applicable State and Federal laws.

# B. Florida Standards Alternate Assessment

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

The alternative assessment program is designed for a student with a significant cognitive disability and includes the Florida Standards Alternate Assessment (FSAA) – Performance Task and the FSAA –datafolio assessments. The decisions of whether a student is eligible to participate in the alternative assessment program and whether the student should participate in the FSAA – Performance Task or FSAA – datafolio assessments is determined by the student's IEP team and delineated on the student's IEP. Such determinations must be in accordance with the criteria set forth in Florida law including, but not limited to, F.A.C. 6A-1.0943 and 6A-1.09430.

# C. Extraordinary Exemptions

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

Once an IEP Team determines that a student with a disability is prevented by a "circumstance" or "condition" as defined in F.S. 1008.212 from physically demonstrating the mastery of skills that have been securificated and are mastery of skills that have been securificated and are mastery of skills that have been securificated and are mastery of skills that have been securificated and are masterial to the standardized end-of-course assessment, or an alternate assessment under

F.S. 1008.22(3)(c), the IEP Team, which must include the parent/legal guardian, may submit to the superintendent a written request for an extraordinary exemption from the administration of the assessment pursuant to F.S. 1008.212.

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

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

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

#### D. Exemption Options for Students with a Medical Complexity

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

#### X

### Florida Tax Credit Scholarship Program

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

#### **END OF OPTION**

If the parent/legal guardian consents in writing and the student's IEP team determines that the student should not be assessed based on medical documentation that confirms that the student meets the criteria of being medically complex, the parent/legal guardian may select one of the following assessment exemption options:

- A one (1) year exemption approved by the Superintendent. If the Superintendent is provided written documentation of
  parent/legal guardian's consent and appropriate medical documentation to support the IEP team's determination that the
  child is a child with medical complexity, then the Superintendent may approve a one (1) year exemption from all Statewide,
  standardized assessments, including the FSAA. For all students approved by the Superintendent for a one (1) year
  exemption, the following information must be reported to the Commissioner of Education beginning June 1, 2015, and each
  June 1st thereafter:
  - a. the total number of students for whom one (1) year exemption has been granted by the Superintendent; and
  - b. for each student receiving an exemption, the student's name, grade level, and specific Statewide, standardized assessment(s) from which the student was exempted.

A one to three (1-3) year exemption approved by the Commissioner of Education. If the Commissioner is provided written documentation of parental consent, Superintendent approval, the IEP team's determination that the child is a child with a medical complexity based upon appropriate medical documentation, and all medical documentation, and all medical documentation appropriate medical documentation, and all medical documentation and all medical document

for the Commissioner to consider an exemption, the following information must be submitted by the Superintendent to the Commissioner of Education no later than thirty (30) calendar days before the first day of the administration window of the Statewide, standardized assessment for which the request is made:

- a. the student's name, grade level and the Statewide, standardized assessment for which the exemption request is made:
- b. the name, address and phone number of the student's parent/legal guardian;
- c. documentation of parent/legal guardian's consent for the exemption;
- d. documentation of the Superintendent's approval of the exemption;
- documentation that the IEP team considered and determined that the student meets the definition of medically complex as defined in F.S. 1008.22(10); and
- f. medical documentation of the student's condition as determined by a physician licensed in accordance with F.S. Chapter 458 or Chapter 459.
- 3. A permanent exemption approved by the Commissioner of Education. If the Commissioner is provided written documentation of parent/legal guardian's consent, Superintendent approval of a permanent exemption, the IEP team's determination that the child is a child with a medical complexity based upon appropriate medical documentation and that a permanent exemption is appropriate, and all medical documentation, then the Commissioner may approve a permanent exemption from all Statewide, standardized assessment, including the FSAA. In order for the Commissioner to consider such an exemption, the following information must be submitted by the Superintendent to the Commissioner of Education no later than thirty (30) calendar days before the first day of the administration window of the Statewide, standardized assessment for which the request is made:
  - a. the student's name, grade level and the Statewide standardized assessment for which the exemption request is made;
  - b. the name, address and phone number of the student's parent/legal guardian;
  - c. documentation of parent/legal guardian's consent for the exemption;
  - d. documentation of the Superintendent's approval of the exemption;
  - documentation that the IEP team considered and determined that the student meets the definition of medically complex as defined in F.S. 1008.22(10); and
  - f. medical documentation of the student's condition as determined by a physician licensed in accordance with F.S. Chapter 458 or Chapter 459.

#### **Test Administration and Security**

#### **IX.** Test Administration and Security

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

The District may use District employees, such as education paraprofessionals, to administer and proctor Statewide, standardized assessments or assessments associated with Florida approved course under F.S. 1003.499. District employees will be trained according to rules of the State Board of Education before performing such duties.

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

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

# Florida Tax Credit Scholarship Program

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

# Revised 12/18/23

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Legal	F.S. 1002.37
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F.S. 1002.395 F.S. 1003.4282 F.S. 1003.499 F.S. 1007.02 F.S. 1008.212 F.S. 1008.22 F.S. 1008.23 F.S. 1008.24 F.S. 1008.25

F.A.C. 6A-1.09422 F.A.C. 6A-1.0943 F.A.C. 6A-1.09430 F.A.C. 6A-1.09431 F.A.C. 6A-1.09432 F.A.C. 6A-6.0331

Last Modified by Jean Cook on January 8, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title EMPLOYMENT OF STAFF

Code \*po3120 DH 12.22.23

Status

Adopted May 1, 2002

Last Revised September 24, 2019

#### 3120 - EMPLOYMENT OF STAFF

#### I. Administrators

- A. The Board recognizes that it is vital to the successful operation of the District that administrative positions created by the Board be filled with highly qualified and competent personnel.
- B. The Board shall approve the employment, determine the compensation, and establish the term of employment for each administrator employed by the Board. Approval shall be given only to those candidates for employment recommended by the Superintendent. Administrators shall recommend to the Superintendent the best qualified administrative applicant available.
- C. Administrators are individuals who supervise the resources, operations, and management of school(s) and/or department(s) and meet established qualifications.
- D. Any administrative staff member's misstatement of fact material to qualifications for employment or the determination of salary shall be considered to constitute grounds for dismissal.
- E. A candidate shall be disqualified from employment in any administrative position that requires direct contact with students if the candidate is ineligible for such employment under F. S. 1012.315.
- F. A person is ineligible for educator certification or employment in any position that requires direct contact with students if:
  - 1. they are on the disqualification list maintained by the Florida Department of Education under F.S. 1001.10(4)(b);
  - 2. they are registered as a sex offender as described in 42 U.S.C. 9858f(c)(1)(C);
  - 3. they are ineligible based on a security background investigation under F.S.435.04;
    - 1. Beginning January 1, 2025, or a later date as determined by the Agency for Health Care Administration, the Agency for Health Care Administration shall determine the eligibility of employees in any position that requires direct contact with students in a District school.
  - 4. they would be ineligible for an exemption under F.S. 435.07(4)(c); or,
  - 5. they have been convicted or found guilty of, have had adjudication withheld for, or have pled guilty or nolo contendere to (1) any criminal act in another state or under federal law which, if committed in Florida, constitutes a disqualifying offense under F.S. 435.04(2) or (2) any delinquent act committed in Florida or any delinquent or criminal act committed in another state or under Federal law which, if committed in Florida, qualifies an individual for inclusion on the Registered Juvenile Sex Offender List under F.S. 943.0435.
- G. To be eligible for employment in an administrative position requiring certification, an individual must be of good moral character and hold a valid certificate issued pursuant to Florida law and the rules of the State Board of Education or a certificate issued by the School Board of Brevard County, Florida. A copy of the certificate shall be filed with the District.

In addition, the Board shall allow an individual with a temporary certificate in educational leadership to be eligible for administrative positions for which State certification in educational leadership is required. Pursuant to State law and rules adopted by the State Board of Education, an individual must earn a passing score on the Florida Educational Leadership Examination, document three (3) years of successful experience REAL ASSOCIATION



leadership position, and hold a bachelor's degree or higher from an accredited institution of higher learning to qualify for a temporary certificate in educational leadership. A person who is employed under a temporary certificate in educational leadership must be under the mentorship of a State-certificated school administrator during the term of the temporary certificate.

- I. The Superintendent or designee shall also conduct employment history checks of all candidates for administrative positions. The employment history check shall include, but not be limited to, contacting any previous employer and screening the candidate through the use of the screening tools described in State law. If contact with (a) previous employer(s) cannot be made, the Superintendent or designee shall document the efforts made to do so.
- J. The Board may establish reciprocal certification agreements with other Florida school districts whose employment and/or certification requirements are comparable to those of the Brevard County School District.
- K. The Board shall require a candidate for employment with an out-of-District certificate not comparable to the Brevard County School District certification to complete all requirements for initial employment and certification.
- L. Qualifications of instructional personnel shall be as required by law and Florida Administrative Code. To be eligible for appointment in any position in the District, a person must be of good moral character; must have attained the age of eighteen (18) years; and must, when required by law, hold a certificate or license issued under rules of the State Board of Education or the Department of Children and Family Services, except when employed pursuant to F.S. 1012.55 or under the emergency provisions of F.S. 1012.24. Previous residence in this State shall not be required in any school of the State as a prerequisite for any person holding a valid Florida certificate or license to serve in an instructional capacity.
- M. F.S. 1012.33 states that "the first ninety-seven (97) days of an initial principal's or supervisor's contract is a probationary period. During the probationary period, the employee may be dismissed without cause or may resign from the contractual position without breach of contract." This statement means that individuals who are appointed into their initial administrative positions in the State of Florida will have a ninety-seven (97) day probationary period.
- N. All administrators shall become familiar with the policies of the Board and other policies, regulations, memoranda, bulletins, and handbooks that pertain to their duties in the District. Any administrator employed by the Board who shall be guilty of any willful violation of the policies of the Board shall be guilty of gross insubordination and shall be subject to dismissal or other lesser penalty as the Board may prescribe.
- O. Members of the administrative staff are required to have listed telephones at their residences. The regulation includes principals and assistant principals. This requirement may be waived by the Superintendent for a period not to exceed six (6) months, subject to review and extension at the end of the six (6) month period if justification for the waiver still exists.
- P. Other employment by administrators outside of their District position shall not conflict with the employee's performance and regular duties with the District.
- Q. In the event that the outside employment is related to the administrator's work in any way, the employee must notify and receive approval from the Superintendent prior to initiating any activity.
- R. Previously fingerprinted District administrators who have had more than a ninety (90) day lapse of employment with the District are required to be re-fingerprinted.

#### II. Interim Principals

Interim principals may be appointed provided they have Educational Leadership, Administration, or Administration/Supervision Certification and have at least two (2) consecutive years of successful administrative experience within the past five (5) years. An interim principal may also be an individual with Education Leadership, Administration, or Administration/Supervision Certification and through the District's selection system was determined by the selection team, Superintendent, and Board to be the best candidate for the position among other applicants. Administrators who are appointed as interim principals have one (1) calendar year to successfully perform required competencies and duties.

# III. Instructional Staff

- A. Any person employed in an instructional position requiring certification shall possess a valid certificate issued pursuant to Florida law and shall file the certificate with the District. Certification or license requirements may not be waived on emergency, temporary, or provisional basis.
- B. The Board may establish reciprocal certification agreements with other Florida school districts whose certification requirements are comparable to those of the Brevard County School District.
- AVERICE. For purposes of this policy, instructional staff includes: classroom teachers, librarians/media specialists, guidance counselors, social workers, career specialists, school psychologists, other instructional staff (such as: primary specialists, learning resource specialists, instructional trainers, and adjunct educators), and additional District defined positions including, registered nurses, audiologists, physical/occupational the property and specialists.

- D. The Superintendent or designee shall also conduct employment history checks of all candidates for instructional staff positions. The employment history check shall include, but not be limited to, contacting any previous employer, reviewing each affidavit of separation from previous employers pursuant to F.S. 1012.31, and screening the candidate through the use of the screening tools described in State law. If contact with (a) previous employer(s) cannot be made, the Superintendent or designee shall document the efforts made to do so.
- E. Any instructional staff member's misstatement of fact material to qualification for employment or the determination of salary shall be considered to constitute grounds for dismissal.
- F. A candidate shall be disqualified from employment in any position that requires direct contact with students if the candidate is ineligible for such employment under F.S. 1012.315, or if the candidate has been terminated or resigned in lieu of termination for sexual misconduct with a student.
- G. A person is ineligible for educator certification or employment in any position that requires direct contact with students if:
  - 1. they are on the disqualification list maintained by the Florida Department of Education under F.S. 1001.10(4)(b);
  - 2. they are registered as a sex offender as described in 42 U.S.C. 9858f(c)(1)(C);
  - 3. they are ineligible based on a security background investigation under F.S.435.04;
    - 1. Beginning January 1, 2025, or a later date as determined by the Agency for Health Care Administration, the Agency for Health Care Administration shall determine the eligibility of employees in any position that requires direct contact with students in a District school.
  - 4. they would be ineligible for an exemption under F.S. 435.07(4)(c); or,
  - 5. they have been convicted or found guilty of, have had adjudication withheld for, or have pled guilty or nolo contendere to (1) any criminal act in another state or under federal law which, if committed in Florida, constitutes a disqualifying offense under F.S. 435.04(2) or (2) any delinquent act committed in Florida or any delinquent or criminal act committed in another state or under Federal law which, if committed in Florida, qualifies an individual for inclusion on the Registered Juvenile Sex Offender List under F.S. 943.0435.
- H. A candidate for employment may be appointed for conditional employment by the Superintendent pending approval by the Board, provided that a complete application and all required employment documents are on file in the Human Resources Department. Employment shall be recommended to the Board no later than thirty (30) days following such conditional employment. If the conditional employee is not approved by the Board, employment will be terminated immediately. The individual will be paid for the time worked at the regular salary rate for the position.
- I. The Board shall approve employment, upon recommendation of the Superintendent.
- J. Upon Board approval of employment, each instructional staff member shall execute a written contract as required by F.S. 1012.33 and Board Policy 3128 Contracts: Employees.
- K. Qualifications of instructional personnel shall be as required by law and Florida Administrative Code. To be eligible for appointment in any position in the District, a person must be of good moral character; must have attained the age of eighteen (18) years; and must, when required by law, hold a certificate or license issued under rules of the State Board of Education or the Department of Children and Family Services, except when employed pursuant to F.S. 1012.55 or under the emergency provisions of F.S. 1012.24. Previous residence in this State shall not be required in any school of the State as a prerequisite for any person holding a valid Florida certificate or license to serve in an instructional capacity.

Any employee who does not achieve a passing score on any subtest of the general knowledge examination will be provided information regarding the availability of State-level and District-level supports and instruction to assist him/her in achieving a passing score. Such information will include, but is not limited to, State-level test information guides, School District preparation resources, and preparation courses offered by State universities and Florida college system institutions.

# **IV. Certification of Instructors**

# A. State Certification

For purposes of this policy, "primary instructor" refers to any instructional employee of a Florida public school district who provides direct support in the learning process by planning, delivering, and evaluating instruction, including through virtual or blended environments, for all students during the entire class period.

Teachers who teach in classes for which FEFP funds are earned shall be certified teachers as defined in F.S. 1012.56 and the Florida State Board of Education Administrative Rule, F.A.C. 6A-1.0503 and 6A-1.0502.

#### B. In-Field

- 1. To be considered "in-field," a primary instructor must meet one (1) of the following qualifications:
- a. the teacher is assigned to a course covering subject matter for which the teacher holds a certificate per F.S. 1012.55; or
  - b. demonstrates sufficient subject matter expertise as determined by FRD-23-123503 (6004)3

2. The requirements for in-field and/or out-of-field may be found in AP 3120D Guidelines for Determining When a Teacher is In-Field and/or Out-of-Field.

#### C. <u>District Certification</u>

It is the intent of the Board that Non-degreed vocational instructional personnel must possess the credentials, knowledge, and/or expertise necessary to provide quality education in the District.

The purpose of District certification is to provide evidence of instructional qualifications in order to protect the interest of students, parents, and the public. The requirements for District certification may be found in AP 3120B - Non-Degreed Full-Time Vocational Instructional Personnel Employment and Certification Procedures.

The Board may revoke a District certificate for cause. The application fee for the District Vocational Certificate shall be the same as a State issued Educator's Certificate.

The Board may establish a reciprocal certification agreement with other Florida school districts whose certification requirements are comparable to those of the District.

# D. Alternative Certification

The alternative certification program is a competency-based program designed to expand the pool of educators to include non-education majors committed to making a positive impact on student achievement.

The requirements for alternative certification may be found in AP 3120C Alternative Certification Program.

# E. Licensed Instructional Personnel

Physical therapists, occupational therapists, speech pathologists, mental health technicians, registered nurses, and audiologists will receive contracts, salary, and benefits.

To be eligible for employment, these individuals must hold a valid license issued by the State of Florida.

#### F. Certification of Adjunct Instructors

The Board requires part-time adjunct teachers to hold a valid professional certificate in the subject area they are teaching.

An adjunct teaching certificate issued for a full-time teaching position is valid for no more than three (3) five (5) years and is non-renewable pursuant to F.S. 1012.57.

Adjunct teachers must also fulfill the requirements of F.S. 1012.56(2, a-f).

Individuals who are certified and employed by the District pursuant to F.S. 1012.57 shall have all the rights and protection of the laws as teachers certified pursuant to F.S. 1012.56.

#### V. Noncertificated Instructional Personnel

- A. The Superintendent is authorized to select and recommend noncertificated instructional personnel for appointment, pursuant to State Board of Education Rule F.A.C. 6A-1.0502, in a critical teacher shortage area, as identified by the Board.
- B. To be eligible for employment under this provision, such individuals must hold a Bachelor's or higher degree and possess expert skill in or knowledge of a particular subject or talent, but not hold a Florida teaching certificate.
- C. Instructional personnel employed under this policy will not be entitled to receive a contract and shall be governed by the criteria found in the AP 3120A Noncertificated Instructional Personnel Procedures.

# VI. Requirements for Teachers Pursuant to Elementary and Secondary Education Act (ESEA)

- A. All teachers employed by the District shall be "highly qualified". "Highly qualified" means:
  - 1. full State certification as a teacher or passed State teacher licensing exam and holds current license to teach; certification or license requirements may not be waived;
  - 2. for elementary teachers new to the profession, this also requires:
    - a. at least a bachelor's degree; and
    - b. passing a rigorous State test on subject knowledge and teaching skills in reading, writing, math, and other areas of elementary curriculum (State certification test may suffice);
- VERSIGHT<sub>c</sub>. <del>for secondary or middle school teachers</del> <del>new to the profession this also requires</del>
  - 1. at least a bachelor's degree; and

- 2. passing a rigorous State test in each of the subject areas s/he will teach (State certification test may suffice), or
- 3. for each academic subject taught, having an academic major, course work equivalent to an undergraduate major, a graduate degree, or advanced certification or credentialing;
- d. for elementary, middle, or secondary school teachers with prior experience, this also requires:
  - 1. at least a bachelor's degree; and
  - 2. meets standards for new teachers (above), or
  - demonstrates competence in all academic subjects s/he teaches based on a uniform State standard of evaluation (standard for academic subject matter and teaching skills set by the State).
- B. The District must have a plan and show annual progress towards meeting these teacher qualification requirements.

#### VII. Heroes in the Classroom

1. An honorably discharged or retired military veteran or retired first responder who commits to joining the teaching profession as a full-time classroom teacher is eligible for a one-time sign-on bonus administered by the Department of Education (DOE), subject to legislative appropriation. An eligible veteran or first responder may receive an additional bonus for teaching a course in a high-demand teacher need area, as identified by the DOE. For any such eligible veteran or first responder employed by it, the Board will provide any necessary information requested by the DOE and, in a manner established by the DOE, notify the eligible veteran or first responder that employment may impact their pension from a previous employer.

# VIII. Support Staff

- A. Support employees include all those employees who work in non-instructional, non-contracted roles and serve at the pleasure of the Board subject to dismissal, transfer, promotion, or resignation and the provisions of the collective bargaining agreement.
- B. A regular employee is a person employed in a continuing position on a daily schedule after having completed a ninety (90) calendar day probationary period. Extensions to this period may be granted by mutual written consent of the employee and the immediate supervisor. Employees who have not completed such period of employment may be discharged without recourse and shall not be subject to the provisions of the grievance procedure for bargaining unit employees.
- C. Support positions are those listed in the applicable bargaining unit agreement as well as some nonbargaining positions.
- D. A District student who is at least sixteen (16) years old may be employed in the School Age Child Care Programs. Support positions are those listed in the applicable bargaining unit agreement as well as some nonbargaining positions.
- E. The Superintendent or designee shall also conduct employment history checks of all candidates for support staff positions. The employment history check shall include, but not be limited to, contacting any previous employer and reviewing each affidavit of separation from previous employers pursuant to F.S. 1012.31, and screening the candidate through the use of the screening tools described in State law. If contact with (a) previous employer(s) cannot be made, the Superintendent or designee shall document the efforts made to do so.
- F. A candidate for employment may be appointed for conditional employment by the Superintendent pending approval by the Board, provided that a complete application and all required employment documents are on file in the Human Resources Department. Employment shall be recommended to the Board no later than thirty (30) days following such conditional employment. If the conditional employee is not approved by the Board, employment will be terminated immediately. The individual will be paid for the time worked at the regular salary rate for the position. The employment of support staff members prior to approval by the Board is authorized when their employment is required to maintain continuity in District operations. Employment shall be recommended to the Board no later than the month following employment.
- G. Any support staff member's misstatement of fact material to qualifications for employment or the determination of salary shall be considered to constitute grounds for dismissal. Any support staff member employed by the Board who shall be guilty of any willful violation of the policies of the Board shall be guilty of gross insubordination and shall be subject to dismissal or such other lesser penalty as the Board may prescribe.
- H. A person is ineligible for employment in any position that requires direct contact with students if:
  - 1. they are on the disqualification list maintained by the Florida Department of Education under F.S. 1001.10(4) (b);
  - 2. they are registered as a sex offender as described in 42 U.S.C. 9858f(c)(1)(C);
  - 3. they are ineligible based on a security background investigation under F.S.435.04;
    - 1. Beginning January 1, 2025, or a later date as determined by the Agency for Health Care Administration, the Agency for Health Care Administration shall determine the eligibility of employees in any position that requires direct contact with students in a District school.
  - 4. they would be ineligible for an exemption under F.S. 435.07(4)(c); or,
  - 5. they have been convicted or found guilty of, have had adjudication withheld for 3112342 plan guilty or nolo contendere to (1) any criminal act in another state or under Federal law which, if committed in Florida,

constitutes a disqualifying offense under F.S. 435.04(2) or (2) any delinquent act committed in Florida or any delinquent or criminal act committed in another state or under Federal law which, if committed in Florida, qualifies an individual for inclusion on the Registered Juvenile Sex Offender List under F.S. 943.0435.

- I. All support personnel shall become familiar with the policies of the Board and other such policies, regulations, memoranda, bulletins, and handbooks that pertain to their duties in the District. Any support staff member employed by the Board who shall be guilty of any willful violation of the policies of the Board shall be guilty of gross insubordination and shall be subject to dismissal or such other lesser penalty as the Board may prescribe.
- IX. Requirements for Instructional Paraprofessionals
  - A. All paraprofessionals employed by the District to provide instructional support services in Title I school-wide programs and instructional paraprofessionals paid with Title I, Part A funds in targeted assistance programs shall be "highly qualified".
  - B. The requirements to be considered a "highly qualified" instructional paraprofessional are established by the Florida Department of Education. Of Education Of
    - 1. Obtain an Associate's (or higher) degree; or
    - 2. Complete—two (2) years of study at an institution of higher education; to include sixty (60) hours with thirty (30) hours in core subjects; or
    - Passa rigorous state or local academic assessment of knowledge and the ability to assist in the instruction of reading, writing, and mathematics.
      - 1. assist in instruction in reading, writing, and mathematics or reading, writing, and mathematics; or
      - 2. assist in instructing reading readiness, writing readiness, and mathematics readiness, as appropriate.
  - C. Instructional paraprofessionals working for a Title I supported program may be assigned to duties as follows:
    - 1. providing one-on-one tutoring for eligible students during times when the teacher would not otherwise be instructing the student;
    - 2. assisting with classroom management, such as organizing instructional and other materials;

### X. AUTHORIZED ACTIVITIES FOR NON-INSTRUCTIONAL PARAPROFESSIONALS

A. EXCEPTIONS

The activities to which non-instructional paraprofessional may be assigned include the following:

The requirements in VIII. A C above shall not apply to an instructional paraprofessional who provides services primarily to enhance the participation of children in programs under PL 107–110 by acting as a translator, or whose duties consist solely of conducting parental involvement activities consistent with section 1118 of Title I of PL 107–110.

# [Note: Select all that apply]

- A. X personal care services;
- B. [ ] parent involvement activities;
- C. X food service:
- D. **X** playground/cafeteria supervision;
- E. **X** bus aides/bus attendants;
- F. [ ] clerical duties;
- G. X non-instructional computer assistance;
- H. X non-instructional media center/library supervision;
- I. [ ] translators (not providing instructional support).

#### **General Knowledge Examination Assistance**

Any employee who does not achieve a passing score on any subtest of the general knowledge examination will be provided information regarding the availability of State-level and District-level supports and instruction to assist him/her in achieving a passing score. Such information will include, but is not limited to, State-level test information guides, School District preparation resources, and preparation courses offered by State universities and Florida college system institutions.

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Revised 4/28/09
Revised 10/27/09
Revised 12/13/11
Revised 10/28/14
Revised 9/24/19

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Legal	F.S. 1012.575
	F.S. 1012.57
	F.S. 1012.01
	F.S. 1012.22
	F.S. 1012.24
	F.S. 1012.27
	F.S. 1012.315
	F.S. 1012.32
	F.S. 1012.33
	F.S. 1012.42
	F.S. 1012.55
	F.S. 1012.56
	F.A.C. 6A-1.0502
	F.A.C. 6A-1.0503
	20 U.S.C. 6301
	20 U.S.C. 7801

Last Modified by Dorinda Howard on January 8, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title EMPLOYMENT OF SUBSTITUTES, SHORT-TERM CONTRACT, AND PART-TIME STAFF

Code \*\*po3120.04 DH 11.16.23;PG 12-19-23

Status

Adopted May 1, 2002

Last Revised October 28, 2014

# 3120.04 - EMPLOYMENT OF SUBSTITUTES, SHORT-TERM CONTRACT, AND PART-TIME STAFF

When it becomes necessary to employ instructional personnel on a temporary basis, such employment is on a limited-time basis for the purpose of filling a vacancy for which a regular employee cannot be found. This employment shall end at the close of the school term, at the end of the fiscal year, or at the time when the temporary task is completed.

# A. Substitute Teachers

The Board authorizes the employment of State and District certificated substitute teachers pursuant to Florida law. The employment of substitute teachers shall be in accordance with a planned program developed by the District.

Each school principal is authorized to employ a substitute teacher when an instructional staff member is unable to perform assigned duties. The principal shall obtain substitute teachers from the automated substitute system maintained by the Human Resource Services Office.

- 1. Substitutes assigned to a position for one (1) to three (3) consecutive days may be assigned other duties during unscheduled class time. Principals will make every effort to provide a duty-free planning period for substitutes assigned to a position for more than three (3) consecutive days.
- 2. Compensation of substitute teachers shall be established by the Board.
- 3. Substitutes shall be scheduled as needed for one half (1/2) day (four (4) hours) or for a full day (seven and one half (7 1/2) hours plus a thirty (30) minute duty free lunch) and shall be paid accordingly for their service.
- 4. Each substitute teacher shall file a complete set of fingerprints as required in Policy 3121.01 Criminal Background and Employment History Checks.
- 5. The District may remove a substitute teacher from its approved list of substitute teachers with or without cause. The substitute teacher removed from the approved list shall not have no further recourse against the District.

# B. Short-Term Teachers

In the absence of a regular teacher, a short-term contract teacher shall be employed when it is known or determined that the regular teacher will be absent for more than thirty (30) consecutive days or for the remainder of the school year. To be eligible to be recommended for a contract for the period to be served, the individual selected as the replacement shall have a valid Florida certificate and meet the criteria established by the FLDOE to be considered highly qualified for the assignment.

A short-term teacher shall be paid on the teacher salary schedule and shall assume the full duties of a regular teacher.

# C. Part-Time Instructional Staff

Part-time positions for summer programs are handled according to summer program procedures. Other District programs such as after school and migrant tutoring may employ part-time instructors providing they hold appropriate certification.

# D. <u>Temporary Employees</u>

Temporary employees are persons employed for an approved position requiring a regular daily schedule to which they are temporarily assigned for a period not to exceed one (1) day less than four (4) calendar months.

Revised 4/27/10 Revised 3/11/14 Revised 10/8/14 Revised 10/6/23

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Legal <u>F.S. 1002.83(14)</u>

F.S. 1012.35 F.S. 1012.36

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Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title PART-TIME EXTRA-CURRICULAR PERSONNEL

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Status

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Last Revised October 28, 2014

#### 3120.08 - PART-TIME EXTRA-CURRICULAR PERSONNEL

Part-time extra-curricular personnel may be employed in positions paid on the instructional differentiated pay plan salary schedule (primarily coaching positions). These employees will not be eligible for employee benefits. All part-time extracurricular employees must be a minimum of 21 years of age.

#### **Athletic Coaches**

Each person who is employed and renders service as an athletic coach in any District school shall hold a valid temporary or professional certificate or an athletic coaching certificate. The athletic coaching certificate may be used for either full-time or part-time positions. (The provisions of this policy do not apply to any athletic coach who voluntarily renders service and who is not employed by any public school district in this state.)

In addition to the requirements for certification provided for in Policy 3120, athletic coaches shall complete a sports safety course which shall count for six (6) hours of required School District in-service instruction for athletic coaching certification if the course is approved by the Florida High School Athletic Association Board of Directors and meets specified requirements. The course must consist of at least eight (8) modules, must immediately provide an individual with a "merit" certificate at the time of successful completion, and must be delivered through hands-on and online teaching methods. The hands-on course material must be less than 120 pages. In addition, the course must be taught by either a State-licensed athletic trainer who holds a current certificate from the Board of Certification or a member of the American Academy of Orthopedic Surgeons. The course must cover sports safety specifically, excluding coaching principles and procedures for cardiopulmonary resuscitation. The course must be authorized or approved by at least ten (10) health care professionals, must be revised and reviewed for updates at least once every thirty (30) months, and must be available to the general public for a retail price under \$50. Also, each course examination must be automated and taken online with a score of eighty percent (80%) or better for successful completion.

Additional Requirements for Employment of Athletic Community Coaches Who are Not Full-Time Employees of the Board

Persons who are not full-time employees of the Board and hold an athletic coaching certificate or athletic trainer's license issued by the State of Florida, may be recommended by the Superintendent and appointed by the Board to perform designated secondary school coaching and training responsibilities. Employment conforms to rules and regulations of the State Board of Education and the bylaws of the Florida High School Athletic Association, and the policies of the Board and administrative procedures established by the Superintendent. (See Policy 3120.03)

Revised 4/27/10 Revised 10/28/14 Revised 10/6/23

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Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title JOB SHARING

Code \*\*po3120.10 DH 12.06.23;PG 12-19-23

Status

#### 3120.10 - **JOB SHARING**

The School Board recognizes the value to the District to obtain the services of quality staff members who may not be available on a full-time basis but wish to offer their knowledge and skills part-time through a job-sharing process.

The District will consider job share requests only if the cost (including benefits) of employing two (2) staff members on a half-time basis does not exceed the cost of employing one full-time staff member.

Half-time positions may be approved in which two (2) currently employed staff members will be allowed to share one (1) full-time position. Each staff member will be given credit for one (1) full year of seniority for this half-time job assignment.

The Board authorizes the Superintendent to create a job-sharing program provided it does not impact adversely on the District or any current staff member.

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Legal F.S. 1012.23

F.S. 1012.36

Cross References

ap3120.10 - JOB SHARIN

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Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY

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# 3122 - NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY

I. Generally

The Board does not discriminate on the basis of race, color, national origin, sex (including sexual orientation, transgender status, or gender identity), disability (including HIV, AIDS, or sickle cell trait), pregnancy, marital status, age (except as authorized by law), religion, military status, ancestry, or genetic information which are classes protected by State and/or Federal law (collectively, "protected classes") in its programs and activities, including employment opportunities.

The Board does not, as a condition of employment, membership, certification, licensing, credentialing, or passing an examination, subject individuals to training, instruction, or any other required activity that is prohibited under F.S. 760.10 and F.S.1000.05. Prohibited discrimination also occurs when any student or employee is subjected to training or instruction that is unlawful under F.S. 1000.05.

Such prohibited activities include espousing, promoting, advancing, inculcating, or compelling employees or students to believe the following:

- 1. Members of one (1) race, color, national origin, or sex are morally superior to members of another race, color, national origin, or sex.
- 2. A person, by virtue of his/her race, color, national origin, or sex is inherently racist, sexist, or oppressive, whether consciously or unconsciously.
- 3. A person's moral character or status as either privileged or oppressed is necessarily determined by his/her race, color, national origin, or sex.
- 4. Members of one (1) race, color, national origin, or sex cannot or should not attempt to treat others without respect to race, color, national origin, or sex.
- 5. A person, by virtue of his/her race, color, national origin, or sex bears responsibility for, or should be discriminated against or received adverse treatment because of, actions committed in the past by other members of the same race, color, national origin, or sex.
- 6. A person, by virtue of his/her race, color, national origin, or sex should be discriminated against or received adverse treatment to achieve diversity, equity, or inclusion.
- 7. A person, by virtue of his/her race, color, sex, or national origin, bears personal responsibility for and must feel guilt, anguish, or other forms of psychological distress because of actions, in which the person played no part, committed in the past by other members of the same race, color, national origin, or sex.
- 8. Such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist, or were created by members of a particular race, color, national origin, or sex.

  I. These prohibited activities should not be construed to exclude discussion of the concepts listed therein as part of a larger course of training or instruction, provided such thanking or has tracking the sext and the s

## objective manner without endorsement of the concepts.

It is the legal obligation and the policy of the Board to employ only those persons who are best qualified, with or without reasonable accommodations.

Further, nothing in this policy shall be construed to abridge the rights of students or school employees that are protected by the First Amendment to the Constitution of the United States.

The Superintendent shall appoint Compliance Officer(s) whose responsibility it will be to require that Federal and State regulations are complied with and that any inquiries or complaints are dealt with promptly in accordance with law.

The Superintendent shall also require that proper notice of nondiscrimination for Title II, Title VI, and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, and the Age Discrimination in Employment Act will be provided to staff members and the general public.

The District also provides access to its facilities to the Boy Scouts and other patriotic youth groups, as required by the Boys Scouts of America Equal Access Act. Any sections of the District's collectively-bargained, negotiated agreements dealing with hiring, promotion, and tenure will contain a statement of nondiscrimination similar to that in the Board's statement above.

### II. Definitions

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

**Complainant** is the individual who alleges, or is alleged, to have been subjected to unlawful discrimination/retaliation, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged discrimination/retaliation.

**Respondent** is the individual who has been alleged to have engaged in unlawful discrimination/retaliation, regardless of whether the reporting party files a formal complaint or is seeking an informal resolution to the alleged discrimination/retaliation.

**School District community** means students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

**Third Parties** include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

**Day(s):** Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

For purposes of this policy, "military status" refers to a person's status in the uniformed services, which includes the performance of duty, on a voluntary basis, or involuntary basis, in a uniformed service including active duty, active duty for training, initial active duty for training, inactive duty for training, and full-time National Guard duty. It also includes the period of time for which a person is absent from employment for the purpose of an examination to determine the fitness of the person to perform any such duty as listed above.

# III. District Compliance Officer(s)

The Superintendent shall appoint compliance officer(s) whose responsibility it will be to require that Federal and State regulations are complied with and that any inquiries or complaints are dealt with promptly in accordance with law. The Superintendent shall also require that proper notice of nondiscrimination for Title II, Title VI, and Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, and the Age Discrimination in Employment Act will be provided to staff members and the general public. Any sections of the District's collectively-bargained, negotiated agreements dealing with hiring, promotion, and tenure will contain a statement of nondiscrimination similar to that in the Board's statement above.

Any questions, complaints, or concerns in relations to this policy should be reported to either of the Anti-Harassment Compliance Officers listed below for proper assistance and handling.

The following persons are designated as the Compliance Officer(s) (COs) for the specified areas:

Compliance Officer(s)

The Board designates the following persons to serve as the District's "Compliance Officer(s)" (also known as "Civil Rights Coordinators"; hereinafter referred to as the "COs"): Student, Exceptional Education/504, Title IX, or the Public Contact

Assistant Superintendent of Equity, Innovation, Choice Director of Student, Staff and Community Engagement AMERICA 2700 Judge Fran Jamieson Way Melbourne, Florida 32940 (321) 633-1000, Ext. 11500

Director of Professional Standards and Labor Relations 2700 Judge Fran Jamieson Way Melbourne, Florida 32940 (321) 633-1000 Ext. 11265

B. The contact information for the Compliance Officers will be published annually in the staff handbooks, in the School District Annual Report to the public, on the School District's website, on each individual school's website, and/or in the School District's calendar.

# **IV. Complaint Procedures**

Except for sex discrimination and/or Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities, any employee who alleges to have been subjected to unlawful discrimination may utilize the following complaint procedures as a means of reaching, at the lowest possible administrative level, a prompt and equitable resolution of the matter. Nothing contained in this policy is intended to interfere with the rights of any individual to pursue a complaint of unlawful harassment or retaliation with the U.S. Department of Education's Office for Civil Rights ("OCR"), the Florida Commission on Human Relations ("FCHR"), or the Equal Employment Opportunity Commission ("EEOC").

If a person believes that s/he has been subjected to unlawful discrimination, the person may utilize the following complaint procedures as a means of reaching, at the lowest possible administrative level, a prompt and equitable resolution of the matter.

In accordance with Federal and State law, employees will be notified of their right to file an internal complaint regarding an alleged violation, misinterpretation, or misapplication of Federal and/or State law. In addition, employees will be notified of their right to file a complaint with the U.S. Department of Education's Office for Civil Rights, the Florida Commission on Human Relations, or the Equal Employment Opportunity Commission.

Internal complaints must be put in writing and must identify the specific circumstances or areas of dispute that have given rise to the complaint, and offer possible solutions to the dispute. The complaint must be filed with a compliance officer within the time limits specified below. The compliance officer is available to assist individuals in filing a complaint.

# **V. Internal Complaint Procedures**

The following internal complaint procedure is available to employees for the prompt and equitable resolution of complaints alleging discrimination based upon disability that is prohibited in this policy. This complaint procedure is not available to unsuccessful applicants. Use of the internal complaint procedure is not a prerequisite to the pursuit of other remedies, including the filing of a complaint with the U.S. Department of Education's Office for Civil Rights, the Florida Commission on Human Relations, or the Equal Employment Opportunity Commission.

The following procedures apply:

- A. An employee with a complaint based on alleged discrimination on the basis of disability may first discuss the problem with the Compliance Officer.
- B. If the informal discussion does not resolve the matter, or if the employee skips Step A above, the individual may file a formal written complaint with the Compliance Officer. The written complaint must contain the name and address of the individual or representative filing the complaint, be signed by the complainant or someone authorized to sign for the complainant, describe the alleged discriminatory action in sufficient detail to inform the compliance officer of the nature and date of the alleged violation, and propose a resolution. The complaint must be filed within thirty (30) days of the circumstances or event giving rise to the complaint unless the time for filing is extended by the compliance officer for good cause.
- C. The written complaint must contain the:
  - name and address of the individual or representative filing the complaint, be signed by the complainant or someone authorized to sign for the complainant;
  - 2. describe the alleged discriminatory action in sufficient detail to inform the Compliance Officer of the nature and date of the alleged violation; and
  - 3. provide a proposed resolution.
- D. The complaint must be filed within thirty (30) calendar days of the circumstances or event giving rise to the complaint unless the time for filing is extended by the Compliance Officer for good cause.
- E. The Compliance Officer will conduct an independent investigation of the matter (which may or may not include a hearing). This complaint procedure contemplates informal, but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to present witnesses and other evidence relevant to the complaint. The compliance officer will provide the complainant with a written disposition of the complaint within ten (10) business days. If no decision is rendered within ten (10) work days, or the decision is unsatisfactory in the opinion of the complainant, the employee may file, in writing, an appeal with the Superintendent. The Compliance Officer shall maintain the District's files and records relating to the complaint.

- F. The Superintendent will, within ten (10) business days of receiving the written appeal, conduct a hearing with all parties involved in an attempt to resolve the complaint.
- G. The Superintendent will render his/her decision within ten (10) business days of the hearing.
- H. The employee may be represented, at his/her own cost, at any of the above-described meetings/hearings.
- I. The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

If it is determined that the complainant was subjected to unlawful discrimination, the Compliance Officer must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

## V. Filing a Complaint with OCR/Florida Commission on Human Relations/EEOC

At any time, if an employee believes that s/he has been subjected to unlawful discrimination, the individual may file a complaint with the U.S. Department of Education's Office for Civil Rights ("OCR"), the Florida Commission on Human Relations (FCHR), or the Equal Employment Opportunity Commission ("EEOC").

## VI. Appealing to OCR/Florida Commission on Human Relations/EEOC

If the complainant is not satisfied with the Superintendent's decision, the complainant will have an additional sixty (60) days to appeal the decision to the United States Department of Education Office of Civil Rights, Florida Commission on Human Relations, or the Equal Employment Opportunity Commission.

### VII. Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination/retaliation, or participates as a witness in an investigation, is prohibited. Specifically, Neither the Board nor any other person may will not discriminate/retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil right law Section 504 or the ADA, or because that individual made a charge report, formal compaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws, and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

# V. Training

The Compliance Officers will also oversee the training of employees in the District so that all employees understand their rights and responsibilities under Federal and State law, and are informed of the Board's policies and practices with respect to fully implementing and complying with the requirements of Federal and State law.

## VI. Notice

Notice of the Board's policy on nondiscrimination in employment practices and the identity of the Compliance Officers will be posted throughout the District, and published in the District's recruitment statements or general information publications as required by Federal and State law and this policy.

## VII. Retention of Investigatory Records and Materials

The Compliance Officer(s) is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all information, documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and received as part of an investigation, including, but not limited to:

All individuals charged with conducting investigations under this policy must retain all information, documents, electronically stored information, and electronic media created and received as part of an investigation, including, but not limited to, complaints, responses, witness statements, documentary evidence, audio and/or video recordings, handwritten and contemporaneous notes, e mails related to the investigation and allegations, printouts, letters, determinations, and summaries. These investigative records and materials shall be retained in accordance with Policy 8310 and Policy 8320 including the District's records retention schedule.

A. all written reports/allegations/complaints/statements;

- B. narratives of all verbal reports/allegations/complaints/statements;
- C. a narrative of all actions taken by District personnel;
- D. any written documentation of actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the District's response to the alleged violation of this policy;
- E. written witness statements;
- F. narratives of, notes from, or audio, video, or digital recordings of witness statements;
- G. all documentary evidence;
- H. e-mails, texts, or social media posts pertaining to the investigation;
- I. contemporaneous notes in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.) pertaining to the investigation;
- J. written disciplinary sanctions issued to students or employees and a narrative of verbal disciplinary sanctions issued to students or employees for violations of the policies and procedures prohibiting discrimination or harassment;
- K. dated written determinations to the parties;
- L. dated written descriptions of verbal notifications to the parties;
- M. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- N. documentation of any supportive measures offered and/or provided to the Complainant and/or the Respondent, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- O. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Codes of Conduct and/or Employee Handbooks);
- P. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment; and
- Q. documentation of any training provided to District personnel related to this policy, including but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy. [REMINDER: Documentation of training should be maintained regardless of whether there is an investigation of an alleged violation of this policy. It is best practice to maintain a log of all staff members who participate in a training, along with the date, time, and location of the training, and a copy of the materials reviewed and/or presented during the training.]

The information. documents. ESI. and electronic media (as defined in Policv 8315) retained may include public records and records exempt from disclosure under Federal and/or State law (e.g., student records).

The information, documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310. Policy 8315. Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

Revised 7/19/16 Revised 6/22/17 Revised 9/10/19

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Legal F.S. 110.1221

F.S. 250.481 F.S. 760.01

F.S. 760.10

F.S. 1000.05

AMERICAN OVERSIGHT

20 U.S.C. 1681 et seq., Title IX

29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967

29 U.S.C. 701 et seq., Rehabilitation Act of 1973 FL-BREVARD-23-1239-A-000428

42 U.S.C. 2000e, et seq., Civil Rights Act of 1964

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

42 U.S.C. 12112, Americans with Disabilities Act of 1990

29 C.F.R. Part 1635

38 U.S.C. 4301 et seq., The Uniformed Services Employment and Reemployment Rights Act

**Last Modified by Paul Gibbs on December 19, 2023** 





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT

Code \*\*po3122.01 DH 12.06.23; PG 12-19-23

Status

### **REVISED POLICY - VOL. 21, NO. 2**

#### 3122.01 - PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT

The School Board prohibits discrimination against any employee or applicant based upon his/her disability. As such, the Board will not engage in employment practices or adopt policies that discriminate on the basis of disability, or otherwise discriminate against qualified individuals with disabilities in regard to job application procedures, the hiring, advancement or discharge of employees, employee compensation, job training, or other terms, conditions and privileges of employment. The Board further will not limit, segregate or classify applicants or employees in any way that adversely affects their opportunities or status because of disability. Additionally, the Board will not participate in any contractual or other relationships that have the effect of subjecting qualified individuals with disabilities who are applicants or employees to discrimination on the basis of disability.

"An individual with a disability" means a person who has, had a record of, or is regarded as having, a physical or mental impairment that substantially limits one or more major life activities. Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, sitting, reaching, interacting with others, and working.

Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, hemic, lymphatic, musculoskeletal and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

An impairment that is episodic in nature or in remission is considered a disability if it would substantially limit a major life activity when active.

The determination of whether an impairment substantially limits a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (defined as devices that magnify, enhance, or otherwise augment a visual image, but not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aid(s) and cochlear implant(s) or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, use of assistive technology, reasonable accommodations or "auxiliary aids or services," learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy.

A qualified person with a disability means the individual satisfies the requisite skill, experience, education and other job-related requirements of the employment position such individual holds or desires and, with or without reasonable accommodation, can perform the essential functions of the job in question.

The Board will provide a reasonable accommodation to a qualified individual who has an actual disability or who has a record of a disability unless the accommodation would impose an undue hardship on the operation of the District's program and/or activities. A reasonable accommodation is not necessarily required for an individual who is merely regarded as having a disability.

## **District Compliance Officers**

The following persons are designated as the District Section 504 Compliance Officers/ADA Coordinators ("District Compliance Officers"):

most comfortable. Additionally, by appointing two (2) District Compliance Officers, there should always be a Compliance Officer available to investigate a claim that pertains to the other Compliance Officer.
<del>(Name)</del>
(School District Title)
(Telephone Number)
(Office Address)
(E mail Address)
(Name)
(School District Title)
(Telephone Number)
(Office Address)
(E mail Address)
Director of Professional Standards and Labor Relations 2700 Judge Fran Jamieson Way Melbourne, Florida 32940 321-633-1000, Ext. 11265
The name(s), title(s), and contact information of this/these individual(s) will be published annually:  A. (-) in the staff handbooks.
B. (X) in the School District Annual Report to the public.
C. —on the School District's website.
D. (X) on each individual school's website.
E. (X) in the School District's calendar.
F. ( ) The District Compliance Officers are responsible for coordinating the District's efforts to comply with and fulfill its responsibilities under Section 504 and Title II of the Americans with Disabilities Act, as amended ("ADA"). A copy of Section 504 and the ADA, including copies of their implementing regulations, may be obtained from either of the District Compliance Officers.
The District Compliance Officers will oversee the investigation of any complaints of discrimination based on disability, which may be filed pursuant to the Board's adopted internal complaint procedure, and will attempt to resolve such complaints. The Board will provide for the prompt and equitable resolution of complaints alleging violations of Section 504/ADA.

[NOTE: School districts may want to consider appointing both a male and a female District Compliance Officer in order to provide complainants with the option to report their concerns to an individual of the gender with which they feel

If a person believes that s/he has been discriminated against on the basis of his/her disability in regard to job application procedures, the hiring, advancement or discharge of employees, employee compensation, job training, or other terms, conditions and privileges of employment, the person may utilize the complaint procedures set forth in Policy 3122 - Nondiscrimination and Equal Employment Opportunity as a means of reaching, at the lowest possible administrative level, a prompt and equitable

**Complaint Procedures** 

Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

#### Filing a Complaint with OCR/Florida Commission on Human Relations/EEOC

At any time, if an employee believes that s/he has been subjected to discrimination based upon his/her disability in violation of Section 504 or the ADA, the individual may file a complaint with the U.S. Department of Education's Office for Civil Rights ("OCR"), the Florida Commission on Human Relations, or the Equal Employment Opportunity Commission ("EEOC").

## Appealing to OCR/Florida Commission on Human Relations/EEOC

### Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination, or participates as a witness in an investigation, is prohibited. Specifically, the Board will not discriminate/retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by Section 504 or the ADA, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

# **Training**

The District Compliance Officers will also oversee the training of employees in the District so that all employees understand their rights and responsibilities under Section 504 and the ADA, and are informed of the Board's policies, administrative procedures, and practices with respect to fully implementing and complying with the requirements of Section 504/ADA.

The Board will provide in-service training and consultation to staff responsible for the education of persons with disabilities, as necessary and appropriate.

#### **Facilities**

No qualified person with a disability will, because the District's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.

For facilities constructed or altered after June 3, 1977, the District will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities.

#### Notice

Notice of the Board's policy on nondiscrimination in employment practices and the identity of the District's Compliance Officers will be published on the District's website and posted throughout the District, and included published in the District's recruitment statements or general information publications.

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Legal <u>29 C.F.R. Part 1630</u>

29 U.S.C. 794, Section 504 Rehabilitation Act of 1973, as amended

34 C.F.R. Part 104

42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

OVERSIGHT

Last Modified by Paul Gibbs on December 19, 2023



Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title DRUG-FREE WORKPLACE

Code \*po3124 1/11/24 RD & DH (Admin Procedure Updated and Is Incorporated Into The Policy)

Status

Adopted May 1, 2002

Last Revised October 10, 2023

## 3124 - DRUG-FREE WORKPLACE

The Board recognizes that substance abuse in our nation and our community exacts staggering costs in both human and economic terms. Substance abuse causes impaired job performance, lost productivity, absenteeism, accidents, wasted materials, lowered morale, higher health care costs, and diminished interpersonal relationship skills. The Board commits to create and maintain a drug-free workplace.

The use of illegal drugs, the abuse of alcohol, and the misuse of prescription and over-the-counter drugs are unacceptable. The Board shall clearly communicate this message to its instructional staff. The Drug Free Workplace Technical Guide is incorporated by reference and is a part of this Board policy. The administrative procedures I may be updated by the Superintendent as necessary to ensure compliance with applicable law and/or rule.

In addition, the Board shall publish a statement and provide a copy to each employee notifying the employee that controlled substances are prohibited in the workplace. This statement shall include notice that specific actions will be taken against District employees for violating the prohibition.

Except in extraordinary circumstances, the Superintendent shall consistently recommend termination for positive findings of controlled substances or alcohol, except when an employee is using a legally prescribed controlled substance according to the doctor's instructions. Legally prescribed means the substance is legal under state and federal law and was issued pursuant to a doctor's prescription. Alcohol use is prohibited pursuant to the Drug Free Workplace Technical Guide.

Revised 8/24/21 Revised 10/10/23

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Legal F.S. 440.101

F.S. 440.102

20 U.S.C. 3224A

20 U.S.C. Omnibus Transportation Testing Act of 1991

20 U.S.C. 701-706, Rehabilitative Act 1973

20 U.S.C. 86-201

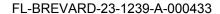
20 U.S.C. 3171 et seq.

29 U.S.C. 705(2)

29 U.S.C. 794

29 U.S.C. 794a

34 C.F.R. Part 85



34 C.F.R. Part 86
34 C.F.R. Part 104
34 C.F.R. 34-86.201
41 U.S.C. 701 et seq., Drug-Free Workplace Act of 1988
Vocation Rehabilitation Act of 1973
Drug-Free Schools and Communities Act of 1986

Last Modified by Ronna Schindler on January 18, 2024





Book Administrative Procedures

Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title DRUG-FREE WORKPLACE TECHNICAL GUIDE

Code \*ap3124 DH 12/1/23 (To Go With Policy Incorporated Thereto)

Status

Adopted August 1, 2002

Last Revised October 10, 2023

### 3124 - DRUG-FREE WORKPLACE TECHNICAL GUIDE

Drug, alcohol, and/or controlled substance screening shall be conducted by Board-approved, independent, certified laboratories that utilize recognized techniques and procedures as described in the Drug-Free Workplace Technical Guide. This guide is incorporated by reference into the Drug-Free Workplace Policy and may be revised.

Job applicants and/or employees will not be required to submit to testing procedures other than as defined in the Drug-Free Workplace Technical Guide. Applicants and/or employees may have certain rights disclosed in this guide. Copies are available through the Board for review.

Medical records and information relating directly to medical records will be maintained in strict confidentiality. Any laboratory contract shall provide that the contractor's records are to be kept confidential under provisions of Florida law. The Board shall establish a system of maintaining records to include both the District's and the contractor's record of applicant and employee urinalysis and breathalyzer/blood alcohol results.

To facilitate and give effect to the Drug-Free Workplace Policy, the Board requires that mandatory drug screening may be included in all physical examinations required under statutes, Board policies, and the Omnibus Transportation Employee Testing Act of 1991.

Circumstances under which drug testing may be required include, but are not limited to:

- A. pre-employment physical exams;
- B. observed use of illegal drugs and/or abuse of alcohol during work hours;
- C. apparent physical state of impairment of motor functions;
- D. marked changes in personal behavior on the job not attributable to other factors;
- E. incidental canine detection;

The Board also authorizes the use of canines, trained in detecting the presence of drugs and paraphernalia. The means of detection shall be used only to determine the presence of drugs in places where such substances can be concealed. Canine detection will be conducted by law enforcement with specific training in the field of canine handling and detection. The Board has adopted the use of specially trained single purpose canines to be utilized for this purpose around students and/or staff. District Security reserves the authority to request canines specifically trained in explosive detection, search and rescue, or other disciplines when circumstances justify the need.

F. an injury on the job which requires medical attention;

An employee who is injured on the job and requires medical attention will be required to submit to a drug screening when s/he reports to the medical facility for treatment. Refusal to submit to the drug screening is considered a positive test. It may result in forfeiting Workers' Compensation Benefits and will be grounds for immediate dismissal.

G. employees and/or job applicants who lawfully operate a commercial motor vehicle in the course of employment.

These employees and/or applicants will be subject to scheduled and/or unannounced alcohol and/or drug testing as mandated by the Omnibus Transportation Employee Testing Act of 1991, the Drug-Free Workplace Technical Guide, and/or any governing State or Federal statute.

Because drug abuse by employees interferes with the educational and work process and compromises the safety and well-being of staff and students, employees are expected to conduct themselves in a manner consistent with the following provisions:

- A. Employees on duty or on Board property will not manufacture, distribute, dispense, possess, or use illegal drugs. Employees are prohibited from working on Board property while under the influence of illegal drugs or under influence from improper use of legal drugs.
- B. Employees on or off duty will not promote student use of illegal drugs or the improper use of legal drugs.
- C. Any employee convicted of any criminal drug statute violation that occurred in the work place shall notify the Board no later than five (5) days after such a conviction.

Alcohol, prescription, and over-the-counter drugs are generally safe and acceptable when used according to proper instruction. Abuse of legal drugs over time or used in combination with another substance can result in chemical dependency or poly-drug addiction.

- A. Employees will be free of alcoholic or drug intoxication when on duty or on Board property. Employees are prohibited from the manufacture or use of alcoholic beverages while on Board property or while on duty with the Board.
- B. Employees on duty will not use or take prescription drugs above the level recommended by the prescribing physician and are prohibited from using prescribed drugs for purposes other than the intended purpose. Employees will not distribute or dispense drugs, except as provided in Board Policy 5330 *Use of Medications*.

## 1. Objectives

By enacting the Drug-Free Workplace Policy, the Board endeavors to:

- a. promote a healthy, safe working environment;
- b. facilitate the rehabilitation of employees with a substance abuse problem;
- c. eliminate substance abuse problems in the workplace;
- d. provide a consistent model of behavior without substance abuse;
- e. provide a clear standard of conduct for the employees; and
- f. hire and retain drug-free employees.

## 2. Definitions

- a. <u>Accident</u> An unexpected happening without intention or design resulting in injury, delay, property loss, or damage.
- b. <u>Alcohol</u> Any liquor intended for use as a beverage or capable of consumption which contains alcohol, either through fermentation or distillation, so as to have the effect of producing intoxication.
- c. <u>Alcohol Testing</u> Testing for blood alcohol content by a breathalyzer instrument device or drawing or collecting a blood or whole blood sample and laboratory analysis of the sample.
- d. <u>Appeal</u> The ability of an employee to request a review of any decision regarding the employee's continued employment.
- e. <u>Breathalyzer Test</u> A test to determine the content of alcohol or other drug via a breath sample analyzed by an intoxilyzer, intoximeter, or similar device.
- f. Breath Specimen A sample of one's breath used in testing for alcohol content.
- g. <u>Chain of Custody</u> The methodology of tracking specified materials or substances as defined in the Drug-Free Workplace Technical Guide, for the purpose of maintaining control and accountability from initial collection to final disposition for all materials or substances and providing for accountability at each stage of handling, testing, and storing specimens and for reporting test results.
- h. <u>Commercial Motor Vehicle</u> A motor vehicle or combination of motor vehicles in symmetric transport passengers or property if the motor vehicle: 1) has a gross combination weight of 26,001 or more pounds

inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; 2) has a gross vehicle weight rating of 26,001 or more pounds; 3) is designated to transport sixteen (16) or more passengers, including the driver; or 4) is of any size and is used in transportation of hazardous materials requiring placards.

- i. <u>Confirmation Test</u> A subsequent analytical procedure used to identify presence of a specific drug or metabolite in a specimen. The confirmation test must use gas chromatography/mass spectrometry (GC/MS) methods and procedures or the most current and appropriate technology which is different in scientific principle from that of the initial test procedure.
- j. Controlled Substance Any substance for which its availability is restricted by Federal or State law.
- k. <u>Driver</u> Any person who operates a motor vehicle, including a person applying to drive a commercial motor vehicle.
- I. <u>Drug(s)</u> Any article intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease means alcohol, including distilled spirits, wine, malt beverages and intoxicating liquors; amphetamines; cannabinoids (of which a positive test result could occur from the use of any and all products containing THC including CBD oil, lotions, gummies, and all other forms of medical marijuana which exist now or may exist in the future\*),; cocaine; phencyclidine (PCP); hallucinogen; methaqualone; opiates; barbiturates; benzodiazepines; synthetic narcotics; designer drugs; or a metabolite of any of the substances listed herein or any other substances defined in Schedules I through V of the Controlled Substances Act. \*Over the counter CBD oils and lotions are not regulated and may contain THC which could result in a positive test result. The origin of THC resulting in a positive test cannot be determined.
- m. <u>Drug Abuse</u> State of chronic or periodic intoxication detrimental to the individual, the employer, and to society produced by repeated consumption of or exposure to a drug.
- n. <u>Employee</u> A person in the service of the Board under any contract of hire, whether express or implied, oral or written, who works under the direction and control of the employer and receives compensation for said employment.
- o. <u>Employee Assistance Program</u> An established program for employee assessment, counseling, and possible referral to an alcohol and/or drug rehabilitation program.
- p. Employer The Board, including those persons acting with supervisory authority from the Board.
- q. <u>Evidential Breath Testing Device (EBT)</u> A device approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath and placed on the NHTSA's conforming products list of evidential breath measurement devices (CPL).
- r. <u>Follow-Up Testing</u> Following a determination of the need for proper problem resolving assistance, the employer may require that the employee be subject to unannounced follow- up alcohol and/or controlled substance testing as directed by the substance abuse professional (SAP), medical review officer (MRO), or other agent of the Board.
- s. <u>Follow-up Testing for Commercial Motor Vehicles Drivers</u> Commercial motor vehicle drivers shall be subject to a minimum of six (6) follow-up controlled substance and/or alcohol tests in the first twelve (12) months. Alcohol follow- up testing shall be performed only before, during, or after the performance of a safety-sensitive function.
- t. <u>Illegal Drug</u> An article consumed or integrated into the human body that affects the normal function of the body, where the article is prohibited by State/Federal statute, State/Federal regulation, or employer policy.
- u. <u>Initial Drug Test</u> The collection of a urine specimen, blood specimen, or breath specimen by medical or supervisory personnel and a laboratory analysis of that specimen by a sensitive, rapid, and reliable procedure to identify negative and presumptive positive specimens.
- v. <u>Intoxication</u> Condition caused by consumption of intoxicants, including legal and illegal drugs and/or alcohol where an individual does not have the normal use of his/her physical or mental faculties and is thereby impaired and incapable of acting in the manner in which an ordinarily prudent and cautious person, using reasonable care, would act under similar conditions.
- W. <u>Job Applicant</u> For the purpose of pre-employment drug screening, a person who has applied for a position with the Board and has been offered employment conditioned upon successful completion of a drug test.
- x. Medical Review Officer (MRO) A licensed physician responsible for receiving laboratory results generated by the Board's drug-testing program. The MRO will be knowledgeable in the treatment of substance abuse and the treatment and diagnosis of substance abuse disorders and have appropriate medical training to interpret and evaluate an individual's confirmed positive test result, including relating the later treatment and diagnosis of substance abuse disorders and have appropriate medical training to interpret and evaluate an individual's confirmed positive test result, including relating the later treatment and diagnosis of substance abuse disorders and have appropriate medical training to interpret and evaluate an individual's confirmed positive test result, including relating to the later treatment and diagnosis of substance abuse disorders and have appropriate medical training to interpret and evaluate an individual's confirmed positive test result, including relating to the later treatment and diagnosis of substance abuse disorders and have appropriate medical training to interpret and evaluate an individual's confirmed positive test result, including relating to the later treatment and later treatment and the later treatment and the later treatment

information.

- y. <u>Post-Accident Testing</u> Testing of an employee for a controlled substance, following an incident causing a death, an incident resulting in either physical injury or property damage/loss, or an incident for which the driver of the Board vehicle is cited.
- z. <u>Pre-Employment Testing</u> Testing procedures to identify the existence of any drug or controlled substance in the iob applicant before hiring by the Board.
- aa. <u>Random Testing</u> Implementation of testing methods, in a random, undetermined fashion, to monitor the existence of drug abuse and/or controlled substance abuse, if any, pursuant to applicable State or Federal law(s) or regulation(s).
- ab. Reasonable Suspicion The reasonable belief that an employee is using or has used drugs in violation of this policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience concerning the appearance, behavior, speech, or body odors of the employee. Reasonable-suspicion drug testing shall not be required except upon the recommendation of a supervisor who is at least one (1) level of supervision higher than the immediate supervisor of the employee in question. Among other things, such facts and inferences may be based upon:
  - 1. observable phenomena while at work, including, but not limited to; direct observation of drug use; physical symptoms; or manifestations of being under the influence of a drug;
  - 2. abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
  - 3. evidence that an individual has tampered with a drug test during his/her employment with the Board;
  - 4. information that an employee has caused, or contributed to, an accident while at work; or
  - evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working for the Board or while on the Board's premise or while operating the Board's vehicles, machinery, or equipment.
- ac. <u>Rehabilitation</u> A program, regimen, or system, duly authorized and licensed by a governing authority in the field of practice, designed to assist a person(s) with life-style practices that have a debilitating and/or detrimental effect on one's person.
- ad. <u>Return-to-Duty Testing</u> After engaging in prohibited conduct regarding the misuse of alcohol, drugs, or other controlled substances, a Board employee or agent shall undergo a return-to-duty alcohol test which indicates a breath alcohol concentration of less than 0.02 or substance abuse test indicating a negative result.
  - After a commercial motor vehicle driver engages in prohibited conduct regarding controlled substance use or abuse, the commercial motor vehicle driver shall undergo a return-to-duty controlled substance test with a result indicating a verified negative result for controlled substances use. Commercial motor vehicle drivers required to submit to a return-to-duty test must be evaluated by a substance abuse professional (SAP) and participate in the prescribed assistance program.
- ae. <u>Safety-Sensitive Function</u> Any of those on-duty functions set forth in Section 395.2, Federal Motor Carrier Safety Regulations On-Duty Time, listed in paragraphs 1 through 7:
  - 1. all time at a carrier or shipper plant, terminal, facility, or other property, waiting to be dispatched, unless the driver has been relieved from duty by the employer;
  - 2. all time inspecting equipment as required by the Federal Motor Carrier Safety Regulations (FMCSR) or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time;
  - 3. all time spent at the driving controls of a commercial motor vehicle;
  - 4. all time, other than driving time, spent on or in a commercial motor vehicle (except for time spent resting in the sleeper berth);
  - all time loading or unloading a commercial motor vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipment loaded or unloaded;
  - 6. all time spent performing the driver requirements associated with an accident; and
- DVERSIGHT7. all time preparing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

- af. <u>Substance Abuse Professional (SAP)</u> A licensed physician, medical doctor, doctor of osteopathy, certified psychologist, social worker, employee assistance professional, addiction counselor (as certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) or other Board-approved care provider with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substance-related disorders.
- ag. <u>Termination</u> The cessation, close, and/or conclusion of employment without affecting a person's right to appeal the termination.

#### 3. Pre-Employment Drug Screening

The Board will require pre-employment drug screening of applicants in the manner set forth in this guide. Applicants will be referred to Board-approved, independent, certified laboratories that utilize recognized techniques and procedures as described herein. Specimens collected will not be used to conduct any other analysis or test unless otherwise authorized by law. Applicants will be informed in advance of the requirement of a negative drug screen as a condition of employment. The drug screen must be conducted within the thirty (30) days prior to employment, and within twenty-four (24) hours of receiving the paperwork from Human Resources.

- a. Applicants testing positive will not be eligible for employment by the Board for one (1) year from the date of the test. A negative drug screen result is a condition of employment. Refusal to participate in drug screen testing will prohibit a job applicant from employment with the Board.
- b. Applicants who fail to appear at the pre-employment drug screening within the 24-hour period will not be eligible to reapply for a period of thirty (30) calendar days.

## 4. Pre-Employment Controlled Substance Testing for Commercial Motor Vehicle Drivers

Before any driver performs a safety-sensitive function as defined in the Federal Motor Carrier Safety Regulations, 395.2, while on-duty time, the driver must submit to testing for controlled substances.

EXCEPTION: The Board is not required to administer a pre-employment controlled substance test if:

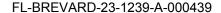
- a. the driver has participated in a drug-testing program meeting the requirements of the Federal Motor Carrier Safety Regulations within the previous thirty (30) days; and, during participation in the drug-testing program, the commercial motor vehicle driver must have been tested for controlled substances in the previous six (6) months, or participated in a random drug-testing program for the previous twelve (12) months; and
- b. the Board must ensure that no prior employer of the commercial motor vehicle driver has a record of violations of any DOT controlled substance use rules in the previous six (6) months.

#### 5. <u>Disciplinary Sanctions</u>

Disciplinary action may be instituted against employees who have violated standards of conduct cited in this guide, and who the Board believes will not be assisted by rehabilitation or who the Board believes will have or have had a negative impact on students and/or staff, pursuant to Board policy, applicable Florida statutes, or State Board of Education rules. Disciplinary sanctions, if appropriate, will be implemented as articulated in Board policy, applicable Florida statutes, State Board of Education Rules, and 34 C.F.R. 86.201(b). The Board may not discharge, discipline, refuse to hire, discriminate against, or request or require rehabilitation of a job applicant or employee on the sole basis of a positive drug test, excluding breathalyzer testing, that is not verified by a confirmation test. Nothing will preclude the Board from seeking prosecution of the Drug-Free Workplace policy where the Board deems appropriate.

Board employees who self-report substance abuse problems, prior to any incident requiring the employee's drug testing, will be afforded employee assistance with the District Employee Assistance Program. Depending upon the substance involved, this may necessitate the employee requesting a leave from his/her position while he/she is in treatment. This leave will be charged to the employee's accrued time or will be unpaid. The first time an employee self-reports the employee will be referred to the Employee Assistance Program as above. Subsequent self-reports will be at the discretion of Human Resources.

- a. Failure to Pass Drug Screening
  - 1. <u>Job Applicants</u>: Any job applicant found to test positive for illegal drug(s) or abuse of legal drug(s) will not be considered for employment by the Board. Job applicants may appeal a positive test for drugs pursuant to the applicable statute or regulation as indicated within the Board Drug-Free Workplace Policy.
  - 2. <u>Board Employees</u>: Any Board employee found to test positive for illegal drug(s) or abuse of legal drug(s) will be immediately subject to disciplinary procedures. Employees who test positive for illegal drugs and/or abuse of legal drugs may be:
    - a. suspended from employment, with or without pay;
    - b. terminated from employment;





- c. required to submit to further testing; or
- d. other administrative procedures necessary for the enforcement of the Drug-Free Workplace policy. Any and all actions will be in accord with the controlling, applicable statute.

The Board recognizes that chemical dependency is an illness that may be successfully treated. The Board may choose to direct an employee to a rehabilitation program.

#### b. Disability

Pursuant to the Americans with Disability Act (ADA), persons found to be currently using illegal drugs are not defined as an "individual with a disability" and are not covered entities under the ADA. Persons who are participating in a supervised rehabilitation program and who no longer use illegal drugs, and/or those erroneously accused of illegal drug use are protected by the ADA. (ADA 104,510)

### 6. Cost

The cost of drug screening will be the sole responsibility of the job applicant, unless otherwise provided by statute.

## 7. Positive Test Results

- a. Job applicants who test positive will be notified by the Medical Review Officer (MRO) and the Office of Human Resource Services.
- b. Job applicants who test positive will not be eligible for employment by the Board for one (1) year from the date of the positive test.
- c. A positive test result may be appealed to the Board within five (5) working days after written notification of a positive test.

## 8. Refusal and Adulterated Specimen

- a. A refusal to submit to a drug screen shall be considered a positive test result and will preclude any further employment. Employees will be subject to disciplinary action.
- b. An employee or applicant who refuses to submit to an alcohol or controlled substance test does so by:
  - 1. failing to provide adequate breath for testing without a valid medical explanation after being notified of the requirement for breath testing;
  - 2. failing to provide adequate urine for controlled substance testing without a valid medical explanation after being notified of the requirement for breath testing; or
  - 3. engaging in conduct that clearly obstructs the testing process.
- c. An adulterated specimen is considered a refusal to participate in a drug screen, i.e., a positive test.

# 9. Employees Subject to Department of Transportation Regulations

All eligible drivers defined in 49 C.F.R., Parts 40 and 382, will be required to submit to controlled substance and alcohol testing when an employee is required to operate a commercial motor vehicle in the course of employment. Employees of the SBBC are strictly prohibited from operating any vehicle while under the influence of a controlled substance, drug, and/or alcohol.

- a. Commercial motor vehicle drivers in the employ of the Board are prohibited from operating a commercial motor vehicle while under the influence of alcohol and/or controlled substances under the following conditions:
  - 1. reporting for duty or remaining on duty to perform safety sensitive functions with an alcohol concentration of 0.02 or greater;
  - operating a commercial motor vehicle while the driver possesses alcohol, other than alcohol transported for shipment, including possession of over-the-counter medicines containing alcohol, unless the packaging seal on the medicine is unbroken;
  - 3. using alcohol while performing safety-sensitive functions;
  - 4. using alcohol within eight (8) hours following an accident or prior to undergoing a post-accident alcohol test whenever required to take a post- accident alcohol test;



5. refusing to submit to an alcohol or controlled substance test required by post-accident, random, reasonable suspicion, or follow-up testing requirements;

- 6. reporting for duty and/or remaining on duty when the driver uses any controlled substance, except as prescribed by a licensed physician and in accord with the proper instruction; and
- 7. reporting for duty, having consumed alcohol within four (4) hours prior to performing a safety-sensitive function.

## b. <u>Disciplinary Procedures</u>

Drivers in the employ of the Board or its agents, who are known to have participated in prohibited/illegal behavior concerning the use of alcohol or the use/misuse of controlled substances are subject to the following:

- 1. drivers will not be permitted to perform safety- sensitive functions;
- drivers shall be advised by the employer of available resources to the employee for evaluating and assisting with problems related to the use and misuse of alcohol or the use and misuse of controlled substances;
- drivers will be evaluated by a substance abuse professional (SAP) to determine the level of assistance, if any, needed by the employee in resolving any problem associated with alcohol misuse and controlled substance use;
- 4. drivers returning to duty to perform a safety-sensitive function will be required to undergo a return-toduty alcohol test resulting in a finding of a breath alcohol level less than 0.02, if previous conduct involved alcohol, or a controlled substance test with a verified negative result, if the conduct involved controlled substance use;
- drivers identified as requiring assistance in resolving problems associated with alcohol or controlled substance abuse shall be evaluated by a SAP to evaluate the driver's participation in the prescribed rehabilitation program; and,
- 6. drivers are required to be subject to unannounced follow-up alcohol and controlled substance testing, as directed by the SAP, consisting of at least six (6) tests in the first twelve (12) months.
- Any and all other methods of testing and/or discipline as authorized by the Omnibus Transportation Employee Testing Act of 1991, the Florida Drug-Free Work Place Act, applicable State and Federal statutes.

## c. Methods of Testing

The Omnibus Transportation Employee Testing Act of 1991 requires commercial motor vehicle drivers to be tested for use of controlled substances and the misuse of alcohol in the following methods:

- 1. pre-employment testing;
- 2. random testing;
- reasonable suspicion testing;
- 4. post-accident testing;
- 5. return-to-duty testing; and
- 6. follow-up testing.

# d. Controlled Substance Testing

A commercial motor vehicle driver whose urine sample has tested positive for a controlled substance, may, within seventy-two (72) hours of notice from the medical review officer (MRO), have the other portion of the split sample tested at another laboratory. A second positive sample test finding mandates that a commercial motor vehicle driver should be disciplined according to the appropriate regulation. If the test of the second portion produces a negative result, or if the second portion of the split sample test is not available, the test will be considered negative, and sanctions will not apply.

## 10. Post Accident Alcohol and Controlled Substance Testing

a. As soon as practicable following an injury, the Board shall require the injured employee to undergo testing for drug and/or alcohol. Refusal to submit to drug and/or alcohol testing shall result in the loss of worker's compensation benefits as provided by Florida statute.

b. As soon as practicable following an accident involving a commercial motor vehicle, the Board shall test for alcohol and/or controlled substances for each surviving driver when BREVARD-23-1239-A-000441

- 1. the accident involved a fatality;
- 2. the driver receives a citation under State or local law for a moving traffic violation arriving from the accident;
- 3. there was an injury that required the injured person to leave the scene of the accident for immediate medical treatment; or
- 4. there was a vehicle that received damage causing the vehicle to be towed away from the accident by a tow truck or another type of vehicle.

The employee operating the commercial motor vehicle must remain available to the Board, or its agents, following the accident for a reasonable time or the Board may consider the commercial motor vehicle driver to have refused to submit to testing.

### 11. Procedures for Employee Physical Examination, Screening, or Health Services

The Board has established a policy requiring pre-employment drug screening of applicants, drug screening of commercial driver's license holders, and drug/alcohol screening of existing employees under specific conditions. The possible impact of a positive test result on an individual's livelihood or rights sets this type of test apart from most clinical laboratory testing. The Board recognizes the need to assure the protection of individual rights within the context of a drug-screening program. These guidelines are consistent with standards developed for use by Federal, civilian, and Department of Defense drug-testing programs, and standards established by the National Institute on Drug Abuse.

## a. Laboratory Certification

A laboratory that conducts drug testing for the Board must provide documentation of certification by the National Institute on Drug Abuse (NIDA). NIDA has established comprehensive standards for laboratory policies, procedures, and personnel that provide quality assurance and performance testing specific to urine drug testing. To be certified, a laboratory must be capable of testing for at least the following classes of drugs:

Marijuana Phencyclidine
Cocaine Barbiturates
Opiates Benzodiazepines
Amphetamines Methaqualone

Certified laboratories shall have the capability, at the same laboratory site, of performing both initial immunoassays and quantitative confirmatory GC/MS tests.

### b. Collection Site Procedures

The collection site is a place where individuals present themselves for the purpose of providing urine or blood specimens to be analyzed for the presence of drugs or alcohol or to participate in a breathalyzer test.

## c. Designation of Collection Site

The collection site shall have all necessary personnel, materials, equipment, facilities, and supervision to provide for the collection, security, temporary storage, and shipping or transportation of urine, breath, and/or blood specimens to a certified drug-testing laboratory.

# d. Security

The collection site shall be secure at all times. In cases where the facility cannot be dedicated solely to drug testing, the portion used for testing shall be secured during drug testing.

### e. Chain of Custody

Upon receipt of specimens, authorized collection site personnel shall properly execute standardized chain of custody forms. Handling and transportation of urine and blood specimens from one (1) authorized individual or place to another shall always be accomplished through chain of custody procedures. The number of persons handling specimens shall be minimized.

## f. Access to Authorized Personnel Only

No unauthorized personnel shall be permitted in any part of the collection site when urine, breath, or blood specimens are collected or stored.

g. Privacy

Procedures for collecting urine specimens shall allow individual privacy unless there is reason to believe that a particular individual may alter or substitute the specimen to be provided.

#### h. Integrity and Identity of Specimens

The following minimum precautions shall be taken to ensure that unadulterated specimens are obtained and correctly identified:

- Upon arrival at the collection site, the individual will be requested to present photo identification, e.g., driver's license or employee identification badge. If the individual does not have proper identification, the collection site person shall contact a designated source who can positively identify the individual. If the identity of the individual cannot be established, the testing shall not proceed.
- 2. The individual shall be asked by the collection site person to remove any coat or jacket that might conceal items or substances that could be used to tamper with or adulterate the individual's specimen. All personal belongings such as a purse or briefcase shall remain with the removed garments.
- 3. The individual shall be instructed to wash and dry his/her hands prior to testing and shall remain in the presence of the collection site person. The individual shall not have access to any water fountain, faucet, soap dispenser, cleaning agent, or any other materials that could be used to adulterate the specimen.
- 4. The individual shall be given a wrapped clear plastic container for the collection of all urine to be tested. The individual may provide her/her specimen in the privacy of a restroom, stall, or otherwise partitioned area that allows for individual privacy.
- 5. At the collection site, a toilet-bluing agent shall be placed in toilet tanks when possible, so the reservoir of water always remains blue. There shall not be any other source of water, e.g., no shower or sink, in the enclosure where urination occurs.
- 6. The collection site person shall note in the permanent logbook any unusual behavior, delays, or lack of cooperation by the individual.
- 7. Upon receiving the specimen from the individual, the collection site person will verify collection of a minimum sample for drug screening. If there is not a sufficient sample in the container, additional samples should be collected. If an individual fails, for any reason, to provide the necessary specimen, the collection site person shall contact the designee at the District for guidance on action to be taken.
- 8. Immediately after collection, the collection site person shall conduct, in the presence of the individual, a close inspection of the specimen in its container to determine the specimen's validity and/or signs of contaminants. In no case shall the time from urination to temperature measurement exceed four (4) minutes. If the temperature of a specimen is outside the range of 32.5° -37.7° C/90.5° -98.5° F, that is a reason to believe that the individual may have altered or substituted the specimen, and another specimen shall be collected under direct observation of a same gender collection site person and both specimens shall be forwarded to the laboratory for testing.
- 9. A higher-level supervisor shall review and concur in advance with any decision by a collection site person to obtain a specimen under the direct observation of a same gender collection site person based on a reason to believe that the individual may alter or substitute the specimen to be provided.
- 10. Any unusual findings related to the color of the specimen or signs of contaminants shall be noted in the permanent logbook.
- 11. The specimen shall then be split by pouring into two (2) containers designed for urine specimens. The collection site person shall request the individual to observe the transfer of the specimen to the two (2) containers and the capping of both containers.
- 12. The collection site person shall securely place identification labels on the two (2) specimen containers. The labels shall indicate the date, the individual's specimen number, and any other identifying information required by the Board. The individual shall verify that the information contained on both labels is correct and shall initial the identification labels for the purpose of certifying that it is the specimen collected from him/her. Then the collection site person will, in the individual's presence, seal both containers with approved tamper-proof security tape placed over the bottle caps and down the sides of the bottles or seal in tamper-proof sealed bags. The individual must then initial both tapes or the sealed bags.



13. The purpose of two (2) specimens is to retain one (1) for further testing as a control for contested results of a positive and confirmed test. Under controlled conditions, agreed to in advance by representatives of the Board and the tested individual, the second specimen will be used for further testing.

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- 14. The collection site person shall enter in the permanent logbook all information identifying the specimen, and sign next to the identifying information. The individual shall read and sign the permanent logbook certifying that the specimen identified is in fact that specimen provided by the individual.
- 15. The collection site person shall complete the chain of custody form.
- 16. Specimens and custody documents shall be under the control of the collection site person when performing the chain of custody procedures. The collection site person must not leave the site collection area until the specimens are properly secured.
- 17. Breath and blood samples will be taken by qualified personnel only.

## i. Collection Control

Collection site personnel shall always have the specimen containers in custody before and after the individual has turned over the sample to the agent. All containers shall be tightly capped, properly sealed, and labeled. Chain of custody forms shall be utilized for maintaining control and accountability from point of collection to final disposition of specimens. With each transfer of possession, the chain of custody form shall be dated, signed by the individual releasing the specimen, signed by the individual accepting the specimen, and the purpose for transferring possession noted. Every effort should be made to minimize the number of persons handling specimens.

## j. Transportation to Laboratory

After collection of the appropriate specimens, the collection site personnel shall arrange to ship the specimens and accompanying medical histories to the drug-testing laboratory in an expeditious manner. The specimens shall be placed in appropriate containers (specimen boxes or padded mailers) that are securely sealed to eliminate the possibility of tampering. Collection site personnel shall sign and date the tape sealing the container and ensure that the chain of custody documentation is attached to each sealed container.

## 12. Laboratory Analysis Procedures

### a. Security and Chain of Custody

Drug-testing laboratories shall be secure at all times and shall ensure that only specifically authorized individuals handle specimens or gain access to the laboratory processes or areas where records are stored. Chain of custody procedures shall be used to maintain control and accountability of specimens from receipt through completion of testing, reporting of results, storing of specimens, and continuing until final disposition of specimens.

#### b. Receiving/Accession

Upon receipt of specimens, receiving personnel shall inspect packages for evidence of possible tampering and compare information on specimen containers and on chain of custody forms. Any direct evidence of tampering or discrepancies in the information on specimen containers and the chain of custody forms attached to the shipment shall be immediately reported and noted on the chain of custody form.

Specimen containers and original chain of custody forms will normally be retained within the receiving area until all analyses have been completed. Laboratory personnel shall use chain of custody forms when conducting the initial and confirmatory tests.

# c. Short-Term Refrigerated Storage

Specimens that do not receive an initial testing the day of arrival at the laboratory shall be placed in secure refrigeration units. Temperatures shall not exceed 6° C. Emergency power equipment should be available in case of prolonged power failure.

## d. Specimen Processing

Drug-testing laboratories will normally process specimens by grouping them into batches. The number of specimens in each batch may vary significantly depending on the size of the laboratory and its workload. When conducting either initial or confirmatory testing, every batch shall contain an appropriate number of standards for calibrating the instrumentation and a minimum of ten percent (10%) controls. Both quality control and blind performance test samples shall appear as ordinary samples to the laboratory analyst.

# e. Initial Test

Initial drug testing shall use a chemical immunoassay procedure. Testing shall determine whether specimens are negative for the following five (5) classes of drugs:

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Initial Test Level (ng/ml)

Marijuana metabolites	50
Cocaine metabolites	300
Opiate metabolites	2000
Phencyclidine	25
Amphetamines	1000

For applicants/employees who are sworn officers of the Special Investigative Unit, the laboratory must also be capable of testing for:

Barbiturates	300
Benzodiazepines	150
Methaqualone	750

Test levels are subject to change as technological advances or other warrant identification of these substances at other concentrations.

#### f. Confirmatory Test

All specimens identified as positive by the initial test shall be confirmed using gas chromatography/mass spectrometry (GC/MS) techniques at the cutoff values listed below:

Confirmatory Test Level	<u>(ng/ml)</u>
Marijuana metabolite	15
Cocaine metabolite	150
Opiates (Morphine-Codeine)	2000
Phencyclidine	25
Amphetamines	500

Barbiturates Confirmation
Benzodiazepines Confirmation
Methaqualons Confirmation

Test levels are subject to change as technological advances or other considerations warrant identification of these substances at other concentrations.

## g. Sworn Officers of the Special Investigative Unit

All specimens identified as positive by the initial test shall be confirmed using gas chromatography/mass spectrometry (GC/MS) techniques. This confirmative test only needs to confirm the initial test regardless of the test level required by the Department of Law Enforcement, Criminal Justice Standards and Training Commission.

# h. Retesting Specimens

Because some analyses deteriorate or are lost during freezing and/or storage, the quantitation for a retest is not subject to a specific cutoff requirement but must provide data sufficient to confirm the presence of the drug or metabolite.

## i. Breathalyzer/Blood-Alcohol Screening

Breathalyzer, blood-alcohol screening shall be required only in "fitness-for-duty" circumstances. Two (2) blood specimens shall be collected. Testing of blood specimens shall be performed by gas chromatography/mass spectrometry (GC/MS) or enzymatic methods of quantitative alcohol measurement.

All blood alcohol results shall be reported as grams/percent. For fitness for duty screening, any amount of alcohol shall be reported as positive.

Identification, labeling, toxicology submission form entries, and signature requirements (i.e., chain of custody procedures) will be observed as for urine specimens.

# j. Reporting Requirements

The laboratory shall provide to the designated District official the monthly statistical summary of blood and urinalysis testing of employees and applicants. No personal identifying information shall be included. The summary shall contain the following information:



- a. number of specimens received
- b. number of specimens screened positive for:

Marijuana Metabolites Amphetamines
Cocaine Metabolites Barbiturates
Opiates (Morphine- Codeine) Benzodiazepines
Phencyclidine Methaqualone

## 2. <u>Confirmatory Testing – Urine/Blood</u>

- a. number of specimens received for confirmation
- b. number of specimens confirmed positive for each drug tested

## k. Reporting Results

The laboratory shall report employee test results to the designated Board authority or medical review officer within three (3) working days of receipt of the specimens (or other amount of time to be negotiated) unless there is notification of problems mandating an extension to this time allotment.

The report shall identify the drugs/metabolites tested for, whether positive or negative, the cutoff for each, the specimen number assigned by the collection site, and the testing laboratory reference number.

The laboratory shall report as negative all specimens that are negative on the initial test or negative on the confirmatory test. Only specimens confirmed positive shall be reported for a specific drug. Quantitation of test results may be requested of the laboratory by the designated Board authority or medical review officer.

However, this information may not be disclosed by that individual. Disclosure is confined to whether the test was positive or negative.

The laboratory may transmit results by various electronic means in a manner designed to ensure confidentiality of the information. Results may not be provided verbally by telephone. The laboratory shall send a certified copy of the original chain of custody form signed by the laboratory director or certifying official to the designated Board authority or medical review officer. All records pertaining to a given specimen shall be retained by the drug-testing laboratory for a minimum of two (2) years.

## I. Long-Term Storage

Specimens confirmed positive shall be retained and placed in properly secured long-term frozen storage for at least 365 days.

Within this 365 day period, the submitting authority may request the laboratory to retain the specimen for an additional period of time or arrange to have the specimen transferred to another site for longer term or permanent storage. This ensures that the urine specimen will be available for a possible re-test during any administrative or disciplinary proceeding. If the laboratory does not receive a request to retain the specimen by the end of the initial 365 day period, the specimen may be discarded.

Long-term storage facilities shall be equipped with secure locks. Emergency power equipment should be available in case of prolonged power failure. Access to the long-term storage facility shall be limited to authorized personnel only.

## m. Breathalyzer

- 1. number of specimens received shall be at least one (1) of sufficient level; and
- 2. number of specimens obtained via a breathalyzer with detectable blood alcohol reported by range:

Less than .02 Negative test

At least .02 but less than .039 Off-duty for twenty-four (24) hours with

repeat test upon return to work

At least .04 and greater Positive test precluding employment

An employee must be referred to a Substance Abuse Professional (SAP).

### n. Subcontracting

The drug-testing laboratory shall perform all work with its own personnel and equipment. The laboratory shall not subcontract.

### o. <u>Laboratory Personnel</u>

The scientific director of the drug-testing laboratory shall be qualified to assume professional, organizational, educational, and administrative responsibility for the laboratory. The director shall be an individual with documented scientific qualifications comparable to those of a person certified by the American Board of Forensic Toxicology or the American Board of Clinical Chemistry in Toxicological Chemistry. The director is responsible for ensuring that qualified personnel with appropriate training, experience, and licenses supervise and conduct the work of the drug-testing laboratory.

The laboratory shall have qualified personnel available to testify in an administrative or disciplinary proceeding when that proceeding is based on positive test results reported by the laboratory.

## p. Quality Assurance and Control

Laboratories performing urine or blood alcohol testing shall have a quality assurance program that encompasses all aspects of the testing process. The laboratory will participate in the NIDA-recognized proficiency testing program for drugs of abuse.

## q. Documentation

Documentation of all aspects of the testing process must be available. This documentation will be maintained for at least two (2) years and will include: personnel files on analysts, supervisors, directors, and all individuals authorized to have access to specimens; chain of custody documents; quality assurance/quality control records; all test data; reports; performance records on proficiency testing; performance on accreditation inspections once available; and hard copies of computer-generated data.

### 13. Reporting and Review of Results

An essential part of the alcohol and drug-testing program is the final review of results. A positive test result does not automatically identify an employee/applicant as a drug abuser or an illegal drug user. An individual with a detailed knowledge of possible alternative medical explanations is essential to the review of the results.

In all disputed cases where there is a positive, confirmed drug test, the confidential results will be provided to a medical review officer. The medical review officer shall be a licensed physician with knowledge of substance abuse disorders.

The medical review officer is responsible for contacting the tested individual in order to determine if the positive and confirmed results are potentially the result of the taking of prescription drugs or other circumstances that may have led to the positive and confirmed results. The medical review officer may request to examine prescription containers, contact the prescribing physician, or any action deemed professionally necessary to validate the appropriate use of drugs. The medical review officer's determination shall be provided to the appropriate Board authority.

## 14. Right to Report Use of Drugs to MRO

A job applicant or Board employee has the right to confidentially report the use of prescription medication, non-prescription medication, and/or illegal drugs to the medical review officer both before and after being tested.

#### 15. Protection of Employee and Job Applicant Records

Any laboratory contract shall provide that the contractor's records are to be kept confidential under provisions of Florida laws. The Board shall establish a system of maintaining records to include both the District's and the contractor's records of applicant and employee urinalysis and blood alcohol results. The contract and the record maintenance system must have specific provisions that require that employee records are maintained and used with the highest regard for employee privacy consistent with Florida's Public Records Act and the purpose of achieving and maintaining a drug-free work place.

# 16. Savings Clause

The Drug-Free Workplace Technical Guide is intended to be a lawful statement concerning the rights, duties, and liabilities of the Board, its agents, and employees regarding the use of drugs and/or alcohol in the work place. Any part of this guide which is determined to be unlawful is not intended, and the remainder of this guide is to be interpreted so as to comply with all State, Federal laws, and administrative regulations.

The District adheres to a policy of nondiscrimination in educational programs/activities and employment and strives to provide equal opportunity for all as required by:

A. Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the base of race, color, religion, or national origin

B. Title VII of the Civil Rights Act of 1964, as amended, which prohibits discrimination in the Civil Rights Act of 1964, as amended, which prohibits discrimination in the Civil Rights Act of 1964, as amended, which prohibits discrimination in the Civil Rights Act of 1964, as amended, which prohibits discrimination in the Civil Rights Act of 1964, as amended, which prohibits discrimination in the Civil Rights Act of 1964, as amended, which prohibits discrimination in the Civil Rights Act of 1964, as amended, which prohibits discrimination in the Civil Rights Act of 1964, as amended, which prohibits discrimination in the Civil Rights Act of 1964, as amended, which prohibits discrimination in the Civil Rights Act of 1964, as amended, which prohibits discrimination in the Civil Rights Act of 1964, as amended, which prohibits discrimination in the Civil Rights Act of 1964, as a mended, which prohibits discrimination in the Civil Rights Act of 1964, as a mended, which prohibits discrimination in the Civil Rights Act of 1964, as a mended, which prohibits discrimination in the Civil Rights Act of 1964, as a mended, which prohibits discrimination in the Civil Rights Act of 1964, as a mended, which prohibits discrimination in the Civil Rights Act of 1964, as a mended, which is a mended of the Civil Rights Act of 1964, as a mended of the Civil Rights Act of 1964, as a mended of the Civil Rights Act of 1964, as a mended of the Civil Rights Act of 1964, as a mended of the Civil Rights Act of 1964, as a mended of the Civil Rights Act of 1964, as a mended of the Civil Rights Act of 1964, as a mended of the Civil Rights Act of 1964, as a mended of 1964, as a mended of the Civil Rights Act of 1964, as a mended of the Civil Rights Act of 1964, as a mended of the Civil Rights Act of 1964, as a mended of the Civil Rights Act of 1964, as a mended of the Civil Rights Act of 1964, as a mended of the Civil Rights Act of 1964, as a mended of 1964, as a

- C. Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex
- D. Age Discrimination in Employment Act of 1967 (ADEA), as amended, which prohibits discrimination on the basis of age with respect to individuals who are at least forty (40)
- E. Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination against the handicapped
- F. Florida Educational Equity Act 1000.05, F.S, which prohibits discrimination on the basis of race, national origin, marital status, or handicap against students or employees
- G. American with Disabilities Act of 1990 (ADA) which prohibits discrimination against individuals with disabilities in employment, public service, public accommodations, and telecommunications
- H. Veterans are provided re-employment rights in accordance with P.L. 93-508 (Federal) and F.S. 295.07, which also defines categorical preferences for employment

Revised 2/03 Revised 8/24/21 Revised 10/10/23

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Legal F.S. 440.101

F.S. 440.102

20 U.S.C. 3224A

20 U.S.C. Omnibus Transportation Testing Act of 1991

20 U.S.C. 701-706 Rehabilitative Act 1973

20 U.S.C. 86-201

20 U.S.C. 3171 et seq.

29 U.S.C. 705(2)

29 U.S.C. 794

29 U.S.C. 794a

34 C.F.R. Part 85

34 C.F.R. Part 86

34 C.F.R. Part 104

34 C.F.R. 34-86.201

41 U.S.C. 701 et seq., Drug-Free Workplace Act of 1988

Last Modified by Ronna Schindler on January 16, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title CONTRACTS: EMPLOYEES

Code \*\*po3128 DH 12.14.23; PG 12-19-23

Status

Adopted May 1, 2002

Last Revised October 28, 2014

#### 3128 - CONTRACTS: EMPLOYEES

#### **Administrative Contracts**

It is the responsibility of the Superintendent to ensure that members of the administrative staff receive and sign an employment contract in accordance with the legal requirements related to their position in the District.

The Superintendent is authorized to execute employment contracts on behalf of the Board.

### **Instructional Contracts**

Any person employed as a member of the instructional staff shall hold a valid Florida Teaching Certificate except as noted elsewhere in policy. All instructional staff members shall be entitled to and shall enter into a written contract with the Board as provided by law. All contracts shall be on forms prescribed by the Commissioner of Education. Any member of the instructional staff who is willfully absent from duty without leave shall forfeit compensation for the time absent, and the staff member's contract shall be subject to cancellation by the Board.

Contracts with, as well as contracts pertaining to, instructional staff that provide for extra compensation, bonuses, and/or severance pay, shall strictly comply with the provisions of F.S. 215.425.

Each individual newly hired as an instructional staff member by the Board, or a retired instructor who interrupts retirement and is reemployed by the Board as an instructional staff member, must be awarded a one (1) year probationary contract. Upon successful completion of the probationary contract, the Board may award an annual contract. Retirees who interrupt retirement and are reemployed by the Board as an instructional staff member are not eligible for a professional service contract.

An annual contract may be issued to awarded for instructional personnel who have successfully completed a probationary contract with the Board and have received one (1) or more annual contracts from the Board. An annual contract may be awarded be instructional member meets the following: only if the employee:

- A. holds an valid active professional certificate or temporary certificate issued pursuant to F.S. 1012.56 and rules of the State Board of Education;
- B. has been recommended by the Superintendent for an annual contract based upon the individual's evaluation under F.S. 1012.34 and approved by the Board;
- C. has not received two (2) consecutive annual performance evaluation ratings of unsatisfactory, two (2) annual performance evaluation rating of unsatisfactory within a three (3) year period, or three (3) consecutive annual performance evaluation ratings of needs improvement or a combination of needs improvement and unsatisfactory under F.S. 1012.34.

The Board may not award an annual contract on the basis of any contingency or condition not expressly authorized in law by the Florida Legislature or alter or limit its authority to award or not award an annual contract as provided F.S. 1012.335. This paragraph applies only to a collective bargaining agreement entered into or renewed on our after June 15, FL-BREVARD-23-1239-A-000449

A true signed copy of the contract shall be retained by the Board in the office of Human Resources Services.

Probationary employees may be dismissed without cause or may resign without their resignation constituting a breach of contract. Instructional personnel with an annual contract may be suspended or dismissed at any time during the term of the contract for just cause as defined by State law. Instructional personnel shall have the right to contest or challenge any such suspension or dismissal in accordance with the procedures set forth in State law.

### **Year of Service Defined for Instructional Personnel**

The minimum time which may be recognized as a year of service for contractual purposes shall be actual service rendered under contract for more than one-half (1/2) of the number of days or more than one-half (1/2) the number of total hours required for the normal contractual period of service for the position held. In determining such service, sick leave and holidays for which the employee received compensation shall be counted, but all other types of leave and holidays shall be excluded.

Any claim to Aa year of service for salary purposes shall be the equivalent of the service required for a continuing, professional service, or annual, or multi-year contract instructor. Credit for service rendered in another state or as otherwise allowed under the adopted salary schedule shall be determined by using the minimum service required in the District for a comparable position and in accordance with provisions of the collective bargaining agreement.

In determining the number of days that must be served to constitute a full year of out-of-state teaching experience, the existing regulations of the State or District in which the contract was executed shall be used as the criteria.

Revised 12/13/11 Revised 10/28/14

#### © Neola 20171

Legal

F.S. 1001.42
F.S. 1001.43
F.S. 1012.22
F.S. 1012.32
F.S. 1012.33
F.S. 1012.335

F.A.C. 6A-1.0502

F.S. 1012.34 F.S. 1012.56

F.S. 215.425

F.A.C. 6A-1.064

Last Modified by Paul Gibbs on December 19, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title CONFLICT OF INTEREST

Code \*\*po3129 DH 12.14.23; PG 12-19-23

Status

Adopted May 1, 2002

Last Revised October 28, 2014

### 3129 - CONFLICT OF INTEREST

The maintenance of high standards of honesty, integrity, impartiality, and professional conduct by District employees is essential to ensure the proper performance of school business.

The proper performance of school business is dependent upon high standards of honesty, integrity, impartiality, and professional conduct by School Board employees. Further, such characteristics are essential to the Board's commitment to earn and keep the public's confidence. For these reasons, the Bard adopts the following procedures to assure that conflicts of interest do not occur. These procedures are not intended to be all inclusive, nor to substitute for good judgement on the part of all District Board members, employees, and agents.

- A. Employees, officers, and agents shall not engage in or have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with their duties and responsibilities in the school system.
- B. Employees, officers, and agents shall not engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship they may have with any student, client, or parents of such students or clients in the course of their employment with the District.

Included, by way of illustration rather than limitation are the following:

- 1. the provision of any private lessons or services for a fee
- 2. the use, sale, or improper divulging of any privileged information about a student or client gained in the course of employment or through access to District records
- 3. the referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration
- 4. the requirement of students or clients to purchase any private goods or services provided by an employee, business, or professional practitioner with whom an employee has a financial relationship, as a condition of receiving grades, credits, promotions, approvals, or recommendations
- C. Employees, officers, and agents shall not make use of materials, equipment, or facilities of the District in private practice. Examples would be the use of facilities before, during, or after regular business hours for service to private practice clients, or the checking out of items from an instructional materials center for private practice.
- D. This policy is not intended to be all inclusive or to substitute for good judgment on the part of all employees.

Notwithstanding parts A through C of this policy, the District does not prohibit instructional personnel from providing New World Reading Scholarship Account services as outlined in F.S. 1002.411 on the instructional personnel member's school campus outside regular work hours. Such services are subject to Board policies related to the sfety and security operations to protect students, instructional personnel, and educational facilities.

Any other Eexceptions to any provision in parts A through C of this policy shall be approved In advance by the Superintendent before entering into any private relationship. and shall be consistent with State law. FL-BREVARD-23-1239-A-000451

Employees, officers, or agents may not participate in the selection, award, or administration of a contract supported by a Federal grant/award if s/he has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, any member of his/her immediate family, his/her partner, or an organization which employs or is about to employ any of the parties described in this section, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

Employees, officers, or agents may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.

To the extent that the District has a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian tribe, the School District may not conduct a procurement action involving the parent, affiliate, or subsidiary organization if the School District is unable, or appears to be unable, to be impartial.

Employees, officers, and agents must disclose any potential conflict of interest which may lead to a violation of this policy to the School District. Upon discovery of any potential conflict of interest, the School District will disclose, in writing, the potential conflict of interest to the appropriate Federal awarding agency or, if applicable, the pass-through entity.

The District will also disclose, in a timely manner, all violations of Federal criminal law involving fraud, bribery, or gratuity that affect a Federal award tot he appropriate Federal awarding agency or, if applicable, the pass-through entity.

Employees, officers, and agents found to be in violation of this conflict of interest policy will be subject to disciplinary action up to and including termination, consistent with substantive and procedural due process and as permitted by applicable Board policy, State law, and/or applicable provision of the collective bargaining agreement.

Revised 4/12/05 Revised 10/28/14

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Legal F.S. 1002.411

2 C.F.R. 200.318 2 C.F.R. 200.113 2 C.F.R. 200.112 F.S. 112.312 F.S. 112.313

F.S. 1006.32

Last Modified by Paul Gibbs on December 19, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title TUTORING

Code \*\*po3129.01 DH 12.15.23; PG 12-19-23

Status

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Last Revised October 28, 2014

## 3129.01 - **TUTORING**

## As set forth in Policy 3210

No instructional staff member shall have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature which is in substantial conflict with the proper discharge of his/her duties in the public interest.

Administrative and instructional staff members who tutor students within their school unit and receive compensation for this work shall have prior approval of their principal or area superintendent.

Staff members may not accept fees for remedial tutoring of students currently enrolled in one (1) or more of their classes for which a grade is given. For purposes of this policy, "remedial tutoring" does not include New Worlds Reading Scholarship Account services permitted under Policy 3129.

Revised 10/28/14

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Legal F.S. 1002.411

F.S. 1002.43

Last Modified by Paul Gibbs on December 19, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title APPOINTMENT, ASSIGNMENT, TRANSFER, AND PROMOTION OF STAFF

Code \*\*po3130 DH 12.15.23;PG 12-19-23

Status

Adopted May 1, 2002

Last Revised October 28, 2014

## 3130 - APPOINTMENT, ASSIGNMENT, TRANSFER, AND PROMOTION OF STAFF

The Board believes that the appropriate placement of qualified and competent staff is essential to the success of the District.

Pursuant to statutory requirements, the percentage of first time teachers, temporarily certified teachers, teachers in need of improvement, or out of field teachers assigned to schools with above the District average of minority and economically disadvantaged students, or to schools that are graded "D" or "F" shall not be greater than the District average of first-time teachers, temporarily certified teachers, teachers in need of improvement, or out of field teachers. Such assignments shall be consistent with the collective bargaining agreement.

The District shall annually certify to the Commission of Education that this requirement is being met.

## **Appointment and Assignment**

When developing his/her recommendation for staff appointments, the Superintendent shall consider nominations for staff appointments submitted by the principals/department heads/administrators. Further, if the Superintendent intends to recommend placement of a staff member in a school who was not nominated by the principal/department head/administrator, the Superintendent will consult with that principal/department head/administrator. In accordance with State law, a principal may refuse to accept the Superintendent's proposed assignment of an staff member to his/her school unless that staff member has a performance rating of effective or highly effective under F.S. 1012.34.

After such required consideration and consultation, the Superintendent shall submit written recommendations with regard to the appointment and assignment of staff for Board action.

The Board shall act not later than three (3) weeks following the receipt of FSA State mandated testing scores and data, including school grades, or June 30th, whichever is later, on the Superintendent's nominations of supervisors, principals, and members of the instructional staff.

In accordance with State law, the Board may reject the Superintendent's recommendation for initial appointment and assignment, or re-appointment and assignment, for good cause.

The Board authorizes the Superintendent to temporarily reassign employees when the Superintendent determines that is in the employee's and/or School District's best interest(s).

# Assignment to Schools Grades "D" or "F"

Pursuant to statutory requirements, the percentage of temporarily certified teachers, teachers in need of improvement, or out-of-field teachers assigned to schools graded "D" or "F" under State law shall not be greater than the District average. Such assignments shall be consistent with the collective bargaining agreement.

A newly hired instructional staff member may be assigned to a school that has earned a grade of "F" in the previous year, or any combination of three (3) consecutive grades of "D" or "F" in the previous years, if the individual:

B. has successfully completed or is enrolled in a teacher preparation program, is provided with high-quality mentoring during the first two (2) years of employment, holds a professional certificate and holds a probationary contract; or

C. holds a probationary contract, holds a professional certificate and has successful teaching experience, and if, in the judgement of the school principal students would benefit from the placement of that individual.

The Superintendent will annually certify to the Commission of Education that these requirements are being met.

### **Assignment to Teacher Preparation Programs**

All instructional personnel who supervise or direct teacher preparation students during field expereince courses or internships in which candidates demonstrate an impact on student learning growth mush have evidence of "clinical educator" training, a valid professional certificate and at least three (3) years K-12 teaching experience and must have earned an "effective" or "highly effective" rating on the prior year's performance evaluation. or be a peer evaluator under the District's evaluation system.

All instructional personnel who supervise or direct teacher preparation students during field experience courses or internships in another state, in which a candidate demonstrates an impact on student learning growth, through a Florida online or distance program must have received "clinical educator" training or its equivalent in that state, hold a valid professional certificate issued by the state in which the field experience takes place, and have at least three (3) years of K-12 teaching experience.

All instructional personnel who supervise or direct teacher preparation students during field experience courses or internships, in which a candidate demonstrates an impact on student learning growth, on a United States military base in another country through a Florida online or distance program must have received "clinical educator" training or its equivalent, hold a valid professional certificate issued by the United States Department of Defense or a state or territory of the United States, and have at least three (3) years of K-12 teaching experience.

## **Teachers Teaching Out-of-Field**

"Out-of-field" means a teacher is assigned to a course covering subject matter outside the field for which the teacher holds a certificate pursuant to F.S. 1012.55 or for which the teacher has not demonstrated sufficient subject matter expertise pursuant to F.S. 1012.42 and as determined by F.A.C. 6A-1.0503, (2)(a)-(h).

A. Out-of-Field Teacher Plan

The Superintendent shall prepare a plan to assist any teacher teaching out-of-field with priority consideration to be given in professional development activities.

The plan must include provisions that require out-of-field teachers to participate in a certification or staff development program designed to provide the teachers with the competencies required for their assigned duties.

The plan must also include duties of administrative personnel and other instructional personnel to provide students with instructional services.

The plan shall be reviewed and considered for adoption by the Board during a publicly-noticed meeting.

## B. <u>Approval of Out-of-Field Teachers</u>

A teacher considered out-of-field per F.A.C. 6A-1.0503, (1)(C), shall be approved by the Board to teach out-of-field after a determination that a teacher with appropriate certification coverage is not available. All evidence of such qualifications and approval must be reflected in the individual's official personnel record; however, such approval may be granted by the Board only under one (1) of the conditions listed in F.A.C. 6A-1.0503, (3) (a)-(c).

# C. Notification Requirements and Transfer Requests

When a teacher is assigned instructional duties in a class containing subject matter outside the field in which the teacher is certified, outside the field that was the applicant's minor field of study, or outside the field in which the applicant has demonstrated sufficient subject area expertise, as determined by the State Board of Education rule (F.A.C. 6A-1.0503), the parents of all students in the class shall be notified in writing of such assignment.

The Board shall report out-of-field teachers on the District's website within thirty (30) days before the beginning of each semester.

A parent whose student is assigned an out-of-field teacher may request that their child be transferred to an in-field classroom teacher within the school and grade in which the student is currently enrolled through the process set forth in Policy 5780.

Promotion and Transfer

Before transferring a staff member from one (1) school to another, the Superintendent shall consult with the principal of the school to which the staff member would be assigned and allow the principal the opportunity to review the teacher's records, including student performance demonstrated under F.S. 1012.34, and interview the teacher. A principal may refuse to accept the Superintendent's assignment or transfer of a staff member to his/her school unless that staff member has a performance rating of effective or highly effective under F.S. 1012.34.

After the required considerations and consultations, the Superintendent shall submit written recommendations with regard to the promotion or transfer of instructional staff for Board action.

In accordance with State law, the Board may reject the Superintendent's recommendation for the transfer or promotion of an instructional staff member for good cause.

## **Required Reporting**

The Superintendent must annually notify the parent of any student who is assigned to school/classroom with an administrator/teacher having two (2) consecutive annual performance evaluation ratings of unsatisfactory, two (2) annual performance evaluation ratings of unsatisfactory within a three (3) year period, or three (3) consecutive annual performance evaluation ratings of needs improvement or a combination of needs improvement and unsatisfactory.

## **Duties, Days, and Hours**

The Superintendent shall make known through administrative channels the duties, days, and hours of the various schools/classes assigned to personnel.

- A. Staff members shall perform the duties required by Florida statutes, Board policy, and the collective bargaining agreement, as well as other reasonable duties as may be assigned by the immediate supervisor. Failure to perform such duties in an acceptable manner shall constitute a violation of the staff member's contract and just cause for disciplinary action.
- B. Staff members are responsible for student control and supervision at any location on campus or during school-sponsored activities.
- C. Staff members shall not permit their family members or friends by their presence to interfere with performance of their duties during working hours.

## **Employment and Supervision of Relatives (Nepotism)**

For purposes of this policy, a "relative" is an individual included within the definition of "relative" set forth in F.S. 112.3135.

Neither the superintendent nor a Board member may appoint or employ a relative to work under their direct supervision. These limitations do not apply to employees appointed or employed before the election or appointment of the superintendent or a Board member.

Two (2) or more close relatives shall not work in the same school/department administrative unit except by permission of the Superintendent. In the event that an instructional staff member, due to some unusual circumstance, may have been placed in the same school/department with a close relative, the instructional staff member may continue in the position until s/he can be reassigned to a position of comparable grade, pay, and reasonable personal convenience.

- A. A close relative may be employed in the same school when specifically recommended by the principal and approved by the Superintendent on the grounds that it is to the educational advantage of the school.
- B. Under no circumstances shall a person supervise the work of a close relative.

F.A.C. 6A-1.0503

C. Close relatives shall be defined as the first degree of kindred which includes: husband, wife, father, mother, brother, sister, son, daughter, and in laws of the same degree.

All employees shall disclose to the Superintendent, the names of all relatives working at the same work location. Failure to immediately make such disclosures shall be grounds for disciplinary action, up to and including termination.

Work location is defined to include payroll cost center or any administrative unit under the direct supervision of a permanent employee of the District.

Revised 12/13/11 Revised 10/28/14

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F.S.1012.796 F.S. 1012.795 F.S. 1012.42 F.S.1012.27 F.S. 1004.04 F.S. 1001.32 F.S. 112.3135 F.S. 1012.22 F.S. 1012.23 F.S. 1012.23

Last Modified by Dorinda Howard on December 19, 2023

F.S. 1012.28





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title VACANCIES

Code \*\*po3132 DH 12.01.23; PG 12-19-23 (NEW)

Status

## 3132 - VACANCIES

It shall be the policy of the School Board to employ the best qualified individual for any District vacancy at any level.

Vacancies shall be announced, and all members of the instructional staff shall be eligible for any District vacancy, providing they are properly qualified.

The Superintendent shall establish procedures to facilitate identification and evaluation of candidates for administrative, supervisory, and other leadership positions.

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Legal <u>F.S. 1012.23</u>

Last Modified by Ronna Schindler on January 22, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title SOLICITATION OR ACCEPTANCE OF GIFTS OR UNAUTHORIZED COMPENSATION

Code \*\*po3214 DH 12.06.23;PG 12-19-23

Status

### 3214 - SOLICITATION OR ACCEPTANCE OF GIFTS OR UNAUTHORIZED COMPENSATION

Pursuant to State law no instructional staff member shall solicit or accept anything of value to the recipient, including, but not limited to, a gift, loan, reward, promise of future employment, favor, or service, that is based upon any understanding that the vote, official action, or judgement of the instructional staff member would be influenced thereby.

For purposes of this policy, the meaning of "gift" shall be consistent with the definition of the term in F.S. 112.312(12)(a), and shall include, but not be limited to, the following:

- A. real property
- B. the use of real property
- C. tangible or intangible personal property
- D. a preferential rate or terms on a debt, loan, goods or services
- E. forgiveness of an indebtedness
- F. transportation, other than that provided to other employees in relation to officially approved government business, lodging, or parking
- G. food or beverage
- H. membership dues
- I. entrance fees, admission fees, or tickets to events, performances, or facilities
- J. plants, flowers, or floral arrangements
- K. services provided by persons pursuant to a professional license or certificate
- L. other personal services for which a fee is normally charged
- M. any other similar service or thing having an attribute value It is the policy of the School Board that:

# ( ) instructional staff members not accept gifts from students or parents.

(X) instructional staff members may accept gifts of nominal value from students or parents in celebration of a holiday, the staff member's birthday, or at the end of a school year.

The District defines nominal value as \$50.00 or less. The Superintendent must approve acceptance of any gift, loan, reward, favor, or service in excess of \$50.00.

Pursuant to State law, no instructional staff member of the District, or his/her spouse or minor child shall, at any time, accept compensation, payment, or anything of value when the instructional staff member knows, or, with the exercise of reasonable care, should know, that it was given to influence the vote or other action in which the instructional staff member was expected to participate in his/her official capacity. Furthermore, instructional staff members shall not accept any compensation, payment, or anything of value from a vendor after a decision has been made to purchase equipment, supplies, or services from said vendor.

In addition, instructional staff members who recommend purchases shall not enter into a contractual relationship with a vendor seeking to do business with the District, or a vendor with whom the District is doing business, whereby an individual instructional staff member receives compensation, payment, or anything of value for services rendered.

Such compensation includes, but is not limited to, cash, checks, stocks, or any other form of securities, and gifts as defined in State law, albeit unsolicited, from a vendor, the instructional staff member shall notify the Fiscal Officer, in writing, that s/he received such compensation and shall thereafter promptly transmit said compensation to the Fiscal Officer.

Any instructional staff member who has knowledge of, or suspects that, this policy has been violated is expected to report this violation or suspected violation in accordance with Policy 3211 – Whistleblower Protection.

See also Policy 3129, Conflict of Interest.

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Legal <u>F.S. 112.312</u>

F.S. 112.313 F.S. 1006.32 2 C.F.R. 200.318

Cross References po3129 - CONFLICT OF INTEREST

po3211 - WHISTLEBLOWER PROTECTION
ap3214 - PARTIES, PROGRAMS, AND GIFTS

Last Modified by Dorinda Howard on December 22, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title EVALUATION OF PERSONNEL

Code \*\*po3220 DH 12.15.23;PG 12-19-23

Status

Adopted May 1, 2004

Last Revised December 14, 2021

### 3220 - EVALUATION OF PERSONNEL

#### **Administrative Personnel**

The continuing evaluation of administrative staff members is necessary to enable the Board to monitor the effectiveness and competence of administrative staff members and to assist them in the improvement of their professional performance.

The work of each administrator shall be evaluated annually by the immediate supervisor utilizing the Instructional Leadership Personnel Appraisal System (ILPAS) State approved leadership evaluation or the District Leadership Personnel Appraisal System (DLPAS). Each evaluation shall relate, but not be limited to, the duties specified in the job description.

- A. The evaluation shall be completed and on file in accordance with the time schedule established by the Superintendent.
- B. An evaluation shall be submitted at the time an administrator leaves the District if services terminate prior to annual evaluations.
- C. Administrators may be required to take recognized examinations as the Superintendent or designee deems necessary to evaluate their health, competence, and/or performance. Refusal to take required examination(s) shall be grounds for immediate dismissal. The Board shall pay the cost of the examination(s).

## **Instructional Personnel**

Pursuant to State law, evaluations shall be conducted for the purpose of increasing student learning growth by improving the quality of instructional services in the District. Except for classroom teachers who are newly hired in the District and excluding substitute teachers, a performance evaluation must be conducted for each instructional staff member at least once per year. Newly hired teachers must be observed and evaluated twice during their first year of teaching in the District.

The Principal is responsible for the performance of all personnel employed by the Board and assigned to the school to which the Principal is assigned. The Principal shall appropriately and effectively apply the personnel evaluation system that has been recommended by the Superintendent and approved by the Board, and approved, as required by State law, by the Florida Department of Education.

# **Instructional Personnel Evaluation System**

The performance evaluation of instructional personnel must be based upon the performance of students assigned to their classrooms. The performance evaluation system must be based upon as well as sound educational principles and contemporary research in effective educational practices. The District's performance evaluation system is not limited to basing unsatisfactory performance of instructional personnel and school administrators solely upon student performance, to but may include other criteria to evaluate instructional personnel and school administrators' performance, or any combination of student performance and other criteria. All personnel must be fully informed of the criteria, data sources, methodologies, and procedures associated with the evaluation process before the evaluation takes place. Additionally, the Principal shall assist the teachers within the school to use student assessment data, as measured by student learning growth gains pursuant to State law for self-evaluation and improvement.

FL-BREVARD-23-1239-A-000461

The evaluation system for instructional personnel will:

- A. be designed to support effective instruction and student learning growth, and performance evaluation results must be used when developing District and school level improvement plans;
- B. provide appropriate instruments, procedures, timely feedback, and criteria for continuous quality improvement of the professional skills of instructional personnel, and performance evaluation results must be used when identifying professional development;
- C. include a mechanism to examine performance data from multiple sources., including opportunities for parents to provide input into employee performance evaluations when appropriate;
- D. identify those teaching fields for which special evaluation procedures and criteria are necessary;
- E. differentiate among four (4) levels of performance as follows:
  - 1. highly effective
  - 2. effective
  - 3. needs improvement or, for instructional personnel in the first year of employment who need improvement, developing
  - 4. unsatisfactory
- F. provide for training and monitoring programs based upon guidelines provided by the Department of Education to ensure that all individuals with evaluation responsibilities understand the proper use of the evaluation criteria and procedures
- G. relate, but not be limited to, the duties specified in the job description
- H. include a portion of each instructional staff member's compensation based on the employee's performance evaluation as required by State law.

#### **Instructional Personnel Evaluation Procedures and Criteria**

Evaluation procedures and criteria must comply with, but are not limited to, the following:

## A. Performance of Students

At least one-third (1/3) of the performance evaluation of instructional personnel must be based upon the data and indicators of student performance of the teacher's students as determined by the District in accordance with F.S. 1012.34(7). The performance of students shall also include growth or achievement data of the teacher's students for at least three (3) years or, if less than three (3) years is available, the years for which data are available. The proportion of growth or achievement data may be determined by instructional assignment.

For classroom teachers of grades and subjects for which their students' performance is assessed by Statewide standardized assessments, the District may measure student learning growth using the formulas approved by the Commissioner and the standards for performance levels adopted by the State Board for courses associated with the Statewide, standardized assessments administered under F.S. 1008.22 no later than the school year immediately following the year the formula is approved by the Commissioner (see F.A.C. 6A-5.030 and 6A-5.0411).

For classroom teachers of grades and subjects for which their students' performance is not assessed by Statewide standardized assessments, the District shall use the methodology set forth in the District's evaluation plan that is submitted to and approved by the FLDOE to measure the student's performance upon which to base one-third (1/3) of the performance evaluation.

For instructional personnel who are not classroom teachers, the District shall us the methodology set forth in the District's evaluation plan that is submitted to and approved by the FLDOE to measure the student's performance upon which to base one-third (1/3) of the performance evaluation.

Pursuant to State law, the proportion of growth or achievement data in the District-determined student performance measures may be determined by instructional assignment.

### B Instructional Practice

At least one-third (1/3) of the performance evaluation must be based upon instructional practice. Evaluation criteria used when annually observing classroom teachers, as defined in F.S. 1012.01(2)(a), excluding substitute teachers, must include indicators based upon each of the Florida Educator Accomplished Practices adopted by the State Board of Education. For instructional personnel who are not classroom teachers, evaluation criteria must be based upon indicators of the Florida Educator Accomplished Practices and may include specific job expectation

related to student support. This section does not preclude a school administrator from visiting and observing classroom teachers throughout the school year for purposes of providing mentorship, training, instructional feedback, or professional learning.

### C. Other Indicators of Performance

The remainder of a performance evaluation may include, but is not limited to, professional and job responsibilities as recommended by the State Board of Education or identified by the Board.

The performance evaluation may also include peer reviews, objectively reliable survey information from students and parents based on teaching practices that are consistently associated with higher student achievement, and other valid and reliable measures of instructional practice.

The individual responsible for supervising the employee must evaluate the employee's performance. The evaluation system may provide for the evaluator to consider input from other personnel trained under F.S. 1012.34(2). The evaluator must submit a written report of the evaluation to the Superintendent for the purpose of reviewing the employee's contract. The evaluator must submit the written report to the employee no later than ten (10) days after the evaluation takes place. The evaluator must discuss the written evaluation report with the employee. The employee shall have the right to initiate a written response to the evaluation, and the response shall become a permanent attachment to his or her personnel file.

The evaluation shall be completed and on file in accordance with the time schedule established by the Superintendent. The written report of the evaluation must be on file and provided to the employee within ten (10) days after the evaluation conference. The evaluator must discuss the written evaluation report with the employee. The employee shall have the right to initiate a written response to the evaluation, and the response shall become a permanent attachment to his/her personnel file. The evaluator may amend an evaluation based upon assessment data from the current year if the data becomes available within ninety (90) days after the close of the school year.

If an employee who holds a professional service contract is not performing his/her duties in a satisfactory manner, the evaluator shall notify the employee in writing of such determination. The notice must describe such unsatisfactory performance and include notice of the procedural requirements set forth in F.S. 1012.34(4).

An evaluation shall be submitted at the time an instructional staff member leaves the District if services terminate prior to annual evaluations.

A staff member shall be given a copy of any documents relating to his/her performance that are to be placed in the personnel file.

A portion of each instructional staff member's compensation shall be based on the employee's performance evaluation as required by State law.

In addition, the Superintendent shall annually report the evaluation results of instructional staff members using the four (4) levels of performance set forth in State law to the FLDOE. The results shall be provided by the school and shall be disaggregated by classroom teachers, as defined in State law, excluding substitute teachers, and all other instructional personnel, also as defined in State law.

The Superintendent shall also notify the FLDOE of any instructional staff members who receive two (2) consecutive unsatisfactory evaluations, as well as any instructional personnel who are given written notice by the District of intent to terminate or not

## Annual Review of District Instructional Personnel Evaluation System

The Superintendent may appoint a District Evaluation System Review Committee who shall be responsible for annually reviewing the instructional staff evaluation system to analyze whether it complies with Florida law and this policy. The District Evaluation System Review Committee shall follow procedures adopted by the Superintendent when reviewing the evaluation system. All substantial revisions to the evaluation system must be reviewed and approved by the Board before being used to evaluate instructional personnel.

### **Support Personnel**

The continuing evaluation of support staff members is necessary to enable the Board to monitor the effectiveness and competence of support staff members and to assist them in the improvement of their professional performance.

The work of support staff shall be evaluated annually by the supervisor, utilizing the appropriate performance appraisal system. Each evaluation shall relate to, but not be limited to, the duties specified in the job description.

A. The evaluation shall be completed and on file in accordance with the time schedule established by the Superintendent.

- B. An evaluation shall be submitted at the time a support staff member leaves the District if services terminate prior to annual evaluations.
- C. Support staff members may be required to take recognized examinations as the Superintendent or designee deems necessary to evaluate their health, competence, and/or performance. Refusal to take required examinations shall be grounds for immediate dismissal. The Board shall pay the cost of the examination(s).n(s).

The individual responsible for supervising the employee must evaluate the employee's performance. The evaluation system may provide for the evaluator to consider input from other personnel trained under F.S. 1012.34(2). The evaluator must submit a written report of the evaluation to the Superintendent for the purpose of reviewing the employee's contract. The evaluator must submit the written report to the employee no later than ten (10) days after the evaluation takes place. The evaluator must discuss the written evaluation report with the employee. The employee shall have the right to initiate a written response to the evaluation, and the response shall become a permanent attachment to his or her personnel file.

The evaluation shall be completed and on file in accordance with the time schedule established by the Superintendent. The written report of the evaluation must be on file and provided to the employee within ten (10) days after the evaluation conference. The evaluator must discuss the written evaluation report with the employee. The employee shall have the right to initiate a written response to the evaluation, and the response shall become a permanent attachment to his/her personnel file. The evaluator may amend an evaluation based upon assessment data from the current year if the data becomes available within ninety (90) days after the close of the school year.

If an employee who holds a professional service contract is not performing his/her duties in a satisfactory manner, the evaluator shall notify the employee in writing of such determination. The notice must describe such unsatisfactory performance and include notice of the procedural requirements set forth in F.S. 1012.34(4).

An evaluation shall be submitted at the time an instructional staff member leaves the District if services terminate prior to annual evaluations.

A staff member shall be given a copy of any documents relating to his/her performance that are to be placed in the personnel file.

A portion of each instructional staff member's compensation shall be based on the employee's performance evaluation as required by State law.

In addition, the Superintendent shall annually report the evaluation results of instructional staff members using the four (4) levels of performance set forth in State law to the FLDOE. The results shall be provided by the school and shall be disaggregated by classroom teachers, as defined in State law, excluding substitute teachers, and all other instructional personnel, also as defined in State law.

The Superintendent shall also notify the FLDOE of any instructional staff members who receive two (2) consecutive unsatisfactory evaluations, as well as any instructional personnel who are given written notice by the District of intent to terminate or not renew their employment.

Revised 12/13/11 Revised 3/11/14

Revised 10/28/14

Revised 12/14/21

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Legal F.A.C. 6A-5.0411

F.A.C. 6A-5.030

F.S. 1012.01

F.S. 1012.22

F.S. 1012.28

F.S. 1012.31

F.S. 1012.34





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title PROFESSIONAL LEARNING

Code \*\*po3242 DH 12.18.23; PG 12-19-23

Status

Adopted May 1, 2002

Last Revised March 11, 2014

### 3242 - PROFESSIONAL DEVELOPMENT LEARNING

### **Professional Learning System**

Pursuant to State law, the School District will work collaboratively with the Florida Department of Education (FLDOE), public postsecondary institutions, State education foundations, teachers, consortia, and business/community representatives in Florida to maintain a coordinated system of professional development learning.

Pursuant to Florida law, the term "professional learning" means learning that is aligned to Florida's standards for effective professional learning, educator practices, and leadership practices; incorporates active learning; is collaborative; provides models; and is sustained and continuous.

The purpose of the system is to increase student achievement, enhance classroom instructional strategies that promote rigor and relevance throughout the curriculum, and prepare students for continuing education and the workforce.

The District's comprehensive professional development learning system will incorporate school improvement plans, and individual professional development plans and will align with the Florida Professional Development System Evaluation Protocol Standards standards adopted by the State, which support the framework for standards adopted by Learning Forward. and the standards will include leadership training for all staff in support of the district's Strategic Plan the National Staff Development Council. Furthermore, the results of the performance evaluations of instructional staff members conducted pursuant to State law and Board Policy 3220 will be used when identifying the areas for which professional development learning is needed. As part of its effort to develop and refine its professional learning plan, the District will review and monitor school discipline data; school environment surveys; assessments of parental satisfaction; performance appraisal data of teachers, managers, and administrative personnel; and other performance indicators to identify school and student needs that can be met by improved professional performance.

As required by State law, the District's comprehensive Master Inservice Plan will be updated by September 1st annually. Any substantial revisions to the District's plan will be submitted to the FLDOE for their review for continued approval. The Superintendent will annually recommend for the Board's consideration and adoption the updated comprehensive Master Inservice Plan, so that verification of the adoption can be submitted to the Commissioner of Education not later than October 1st of each year.

The Board will provide funding for professional development learning as required by State law and the General Appropriations Act and will authorize expenditures from other sources to continuously strengthen the District's system of professional development learning. The system will also provide for training for each teacher who will use materials that were purchased with funds allocated by the State for instructional materials, provide for in-service credit for the training, and document satisfactory completion of the training by each teacher.

The in-service activities for instructional personnel shall focus on analysis of student achievement data, ongoing formal and informal assessments of student achievement, identification and use of enhanced and differentiated instructional strategies that emphasize rigor, relevance, and reading in the content areas, enhancement of subject content expertise, integrated use of classroom technology that enhances teaching and learning, classroom management, parent involvement, and school safety.

Additionally, in-service activities will be made available for instructional personnel of nonpublic schools in the District and the State certified teachers who are not employed by the Board on a fee basis not to exceed the cost of the activity per all participants.

School principals may, but are not required to, establish and maintain an individual professional development learning plan for each instructional employee assigned to the school. The individual professional development learning plan must:

- A. be related to specific performance data for the students to whom the teacher is assigned;
- B. define the in-service objectives and specific measurable improvements expected in student performance as a result of the inservice activity;
- C. include an evaluation component that determines the effectiveness of the professional development learning plan.

Professional learning activities linked to student learning and professional growth for instructional staff will meet the following criteria:

- A. Utilize materials aligned to the State's educational leadership standards.
- B. Have clear, defined, and measurable outcomes for both individual in-service activities and multiple day sessions.
- C. Employ multiple measurement tools for data on teacher growth, participants' use of new knowledge and skills, student learning outcomes, instructional growth outcomes, and leadership growth outcomes, as applicable.
- D. Utilize active learning and engage participants directly in designing and trying out strategies, providing participants with the opportunity to engage in authentic teaching and leadership experiences.
- E. Utilize artifacts, interactive activities, and other strategies to provide deeply embedded and highly contextualized professional learning.
- F. Create opportunities for collaboration.
- G. Utilize coaching and expert support to involve the sharing of expertise about content and evidence-based practices, focused directly on the needs of the role.
- H. Provide opportunities to think about, receive input on, and make changes to practice by facilitating reflection and providing feedback.
- I. Provide sustained duration with follow-up to have adequate time to learn, practice, implement, and reflect upon new strategies that facilitate changes in practice.

# Professional Development Learning Certification and Education Competency Program

The District will provide the competency-based professional development learning certification program developed by the FLDOE by which members of the District's instructional staff with a State-issued temporary certificate may satisfy the mastery of professional preparation and education competence requirements specified in State law and rules of the State Board of Education.

## Certification of an Approved Comprehensive Professional Development Learning Plan

By July 1st of each year and prior to the release of funds for instructional materials, pursuant to statutory requirements, the Superintendent will certify to the Commissioner of Education that the Board has approved a comprehensive professional development learning system that requires fidelity of implementation of instructional materials that are in the first two (2) years of the adoption cycle. The report will also include verification that the training was provided.

The Superintendent will annually report to the Board on the implementation of the Professional Development System plan.

### **Professional Learning Catalog**

## A. Components

As part of its coordinated system of learning development, the District will establish a Professional Learning Catalog (catalog) that outlines all professional learning opportunities, referred to as components, for all District employees from all funding sources. For each component, the catalog will include the following:

- 1. a title;
- 2. an identifying number assigned in accordance with the FLDOE Information Database Requirements: Volume II Automated Staff Information System pursuant to F.S. 1008.385(2) and F.A.C. 6A-1.0014;
- 3. the maximum number of in-service points to be awarded for successful completion of the component, assigned in accordance with the specifications outlined in F.A.C. 6A-5.071(7);
- 4. a description of the specific objectives and activities to be completed; FLARD-23-1239-A-000466
- 5. the component evaluation criteria for determining the effectiveness of professional learning in:

- 1. addressing the specific objectives;
- 2. increasing educator knowledge and skills;
- 3. changing educator dispositions or practice in the educational setting; and,
- 4. improving student outcomes.

For each component for which in-service points will be awarded, the catalog will also include a description of an follow-up activities that will be required and support that will be provided to allow for successful completion of the component.

For each component for which in-service points will be awarded, the catalog will also include a description of any follow-up activities that will be required and support that will be provided to allow for successful completion of the component.

#### B. Review, Amendment, and Submission

Annually, the District shall conduct a review of the previous year's catalog program operations that results in a determination of its effectiveness in the educational setting as measured by changes in educator practice and student outcomes, and use this information to make decisions about which components to continue, modify, or eliminate.

Based on the results of the review, and by September 1st, annually, the catalog will be updated and approved by the Board.

By October 1st of each year, the District will submit a letter to the Commissioner of Education verifying that the Board has approved the District's catalog and that it meets the criteria set forth in F.A.C. 6A-5.071. Any components of the District's catalog developed or modified after the annual approval of the catalog will be approved as an amendment by the Board.

## C. Record Maintenance and Data Reporting

The following information will be maintained for each component:

- 1. dates the component was delivered;
- 2. names of component leaders;
- 3. names of participants and performance records;
- 4. evaluation of the component; and,
- 5. criteria for successful completion.

The following information will be maintained for each component participant:

- 1. title and number of the component;
- 2. dates of participation;
- 3. satisfactory or unsatisfactory completion; and,
- 4. number of in-service points to be awarded, eligibility or the points to be used for certification, and expiration date of the educator's certificate(s), if applicable. All requirements for renewal of a professional certificate on the basis of completion of in-service points pursuant to F.S. 1012.585 and F.A.C. 6A-4.0051 shall be met.

The District will report data information for all approved professional learning components through the FLDOE's automated data reporting procedures.

Revised 4/27/10 Revised 12/13/11 Revised 3/11/14

#### © Neola 20123

Legal F.S. 1001.42
F.S. 1011.62
F.S. 1011.67
F.S. 1012.22
F.S. 1012.34
F.S. 1012.56
F.S. 1012.98
F.S. 1012.985

F.S. 1012.986



Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title INSTRUCTIONAL STAFF ACCIDENTS AND WORK PLACE SAFETY

Code \*po3340; DD 01.12.24

Status

Adopted April 28, 2009

### 3340 - INSTRUCTIONAL STAFF ACCIDENTS AND WORK PLACE SAFETY

The Board strives to provide a safe and secure working environment for all employees. However, when a work related injury or industrial illness occurs (i.e. injuries and industrial illnesses that arise out of, or in the course of job related activities on behalf of the Board); the Board shall provide appropriate medical care and treatment to the injured worker through its Workers' Compensation program.

Coverage is provided for all paid instructional staff, support staff, administrators, substitute employees, and unpaid volunteers who are injured or suffer an industrial related illness while acting within the course and scope of their assigned duties. Coverage begins automatically from the first day of employment or assignment.

The Board believes that all personnel and volunteers have specific responsibilities for reporting these accidents when they occur. The employee's first requirement is to immediately report any and all accidents that result in physical injury to their supervisor or school/department secretary the moment the accident occurs or before their shift ends that day. If they are unable to report the accident that day, they are to report it as soon as practical. Upon receiving the accident report, the administration should provide first aid by persons trained to do so, summon medical assistance when an accident is life-threatening, and notification of accidents to the appropriate workers' compensation professionals. The employee is to be sent for drug testing per the District's drug-free workplace policy, and they are responsible to complete all required accident reports. Following the accident report, the administrator should then evaluate the cause of the accident and if possible provide an appropriate remedy to minimize the chance of a similar accident from happening in the future.

All employees are required to should make an effort to increase their understanding of the proper steps to be taken in the event of an accident. All employees are to correct or report any hazard they become aware of on district property that may cause injury to themselves, their co- workers, students, or visitors to their supervisor.

The Superintendent shall develop administrative procedures to include the reporting of accidents, when appropriate.

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Legal <u>F.S. 440</u>

Florida Division of Workers' Compensation

Last Modified by Dania Declue on January 12, 2024







Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title ANTI-HARASSMENT

Code \*\*po3362 DH 12.19.23; PG 12-20-23

Status

Adopted May 1, 2002

Last Revised August 27, 2019

### 3362 - ANTI-HARASSMENT

### I. General Policy Statement

- A. It is the policy of the Board to maintain an educational and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.
- B. The Superintendent will vigorously enforce its prohibition against discriminatory harassment on the basis of race, ethnicity, color, national origin, sex (including sexual orientation, transgender status, or gender identity), disability (including HIV, AIDS, or sickle cell trait), pregnancy, marital status, age (except as authorized by law), religion, military status, ancestry, or genetic information which are classes protected by State and/or Federal law (collectively, "protected classes";)—(hereinafter referred to as unlawful harassment), and encourages those within the School District community as well as third prarties, who feel aggrieved to seek assistance to rectify such problems. The Superintendent will investigate all allegations of unlawful harassment and in those cases where unlawful harassment is substantiated, the Superintendent will take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.
- C. The District will offer counseling services to any staff member found to have been subjected to unlawful harassment, and, where appropriate, the person(s) who committed the unlawful harassment.
- D. For purposes of this policy, "School District community" means students, administrators, teachers, staff, as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.
- E. For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school related events/activities (whether on or off School District property).
- F. Further, nothing in this policy shall be construed to abridge the rights of students or school employees that are protected by the First Amendment to the Constitution of the United States.

### II. Other Violations of the Anti-Harassment Policy

The Superintendent will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.

C. Disregarding, failing to investigate adequately, or delaying the investigation of allegations of unlawful harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

#### III. Definitions

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

**Complainant** <u>is the individual who alleges, or is alleged, to have been subjected to unlawful harassment, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.</u>

**Respondent** is the individual who has been alleged to have engaged in unlawful harassment, regardless of whether the reporting party files a formal complaint or is seeking an informal resolution to the alleged harassment.

**School District community** means students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

**Day(s):** Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

A. Bullying

Bullying rises to the level of unlawful harassment when one (1) or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more students or employees and that bullying is based upon sex, race, color, national origin, religion, or disability, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation. This unlawful harassment may include, but not be limited to, the following:

- 1. teasing;
- 2. threats;
- 3. intimidation;
- 4. stalking;
- 5. cyberstalking;
- 6. cyberbullying;
- 7. physical violence;
- 8. theft;
- 9. sexual, religious, or racial harassment;
- 10. public humiliation; or
- 11. destruction of property.
- B. <u>"Harassment"</u> means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student or school employee that:
  - places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
  - 2. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or
  - 3. has the effect of substantially disrupting the orderly operation of a school.

- 1. Pursuant to For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, "sexual harassment" is defined as:
- 2. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:
  - a. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
  - b. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
  - c. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.
- 3. Sexual harassment may involve the behavior of a person of either any gender against a person of the same or opposite another gender.
- Sexual Harassment covered by Policy 2266 Nondiscrimination on the Basis of Sex in Education Programs or Activities is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.
- 5. Prohibited acts that constitute sexual harassment under this policy may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:
  - a. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
  - b. Unwanted physical and/or sexual contact.
  - c. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs, activities, or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
  - d. Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes, or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
  - e. Sexually suggestive objects, pictures, graffiti, videos, videotapes posters, audio recordings, or literature
    placed in the work or educational environment, which may that may reasonably embarrass or offend
    individuals.
  - f. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
  - g. Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities.
  - h. <u>Speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.</u>
  - i. Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship.
  - j. Leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin.
  - k. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
  - Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
  - m. Consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.
  - n. Verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.
  - o. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.
- 6. Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based and gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment, or such that it creates a hostile or abusive employment or educational environment.

with a student may also be guilty of a crime. The issue of consent is irrelevant in regard to such criminal charge and/or with respect to the application of this policy to District employees or other adult members of the School District community.

#### D. Sexual Cyberharassment

Pursuant to Florida law, "sexual cyberharassment" means to publish to an Internet website or disseminate through electronic means to another person a sexually explicit image of a person that contains or conveys the personal identification information of the depicted person to an Internet website without the depicted person's consent, contrary to the depicted person's reasonable expectation that the image would remain private, for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person. Evidence that the depicted person sent a sexually explicit image to another person does not, on its own, remove his/her reasonable expectation of privacy for that image. Sexual cyberharassment may be a form of sexual harassment.

### E. Race/Color Harassment (Including Anti-Semitism)

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

# F. Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

### G. National Origin Harassment

Prohibited national origin harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

# H. Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disability, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

# I. <u>Pregnancy Harassment</u>

Prohibited pregnancy harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's pregnancy and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's pregnancy and condition of pregnancy.

### IV. Reports and Complaints of Harassing Conduct

- A. Members of the School District community and third parties, which includes all staff, are encouraged to promptly report incidents of unlawful harassing conduct to an administrator, supervisor, or other School District official so that the Superintendent may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other District official who receives such a complaint report shall file it with the District's Anti
  A Harassment Compliance Officer within two (2) business days of receiving the report of harassment.
- B. Members of the School District community or and third process who believe they have been unlawfully harassed by another member of the School District community or a third process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the

complaining individual's Complainant's employment or participation in educational or extra-curricular programs unless the complaining individual Compainant makes the complaint maliciously or with the knowledge that it is false. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

C. If, during an investigation of reported act of bullying and/or harassment in accordance with Policy 5517.01 – Bullying and Harassment, the principal or his/her designee believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on sex, race, color, national origin, religion, or disability, the principal or his/her designee will report the act of bullying and/or harassment to one of the Compliance Officers who shall investigate the allegation in accordance with this policy. If the alleged harassment involves Sexual Harassment as defined by Policy 2266, the matter will be handled in accordance with the grievance process and procedures outlined in Policy 2266. While the Compliance Officer investigates the allegation, or while the matter is being addressed pursuant to Policy 2266, the Principal shall suspend his/her Policy 5517.01 investigation to await the Compliance Officer's written report or the determination or responsibility pursuant to Policy 2266. The Compliance Officer shall keep the Principal informed of the status of the Policy 3362 investigation and provide him/her the Principal with a copy of the resulting written report. Likewise, the Title IX Coordinator will provide the Principal with the determination of responsibility that results from the Policy 2266 grievance process.

## V. Anti-Harassment Compliance Officers

A. The following individuals serve as "Anti-Harassment Compliance Officers" for the District. They are hereinafter referred to as the "Compliance Officers".

Student/Exceptional Education/504/Public Equity Director of Student, Staff and Community Engagement

Assistant Superintendent Equity, Innovation, Choice 2700 Judge Fran Jamieson Way Melbourne, Florida 32940 (321) 633-1000, ext. 11500

Employee or Job Applicant Equity Director Professional Standards and Labor Relations 2700 Judge Fran Jamieson Way Melbourne, Florida 32940 (321) 633-1000 ext. 11265

- B. The names, titles, and contact information of these individuals will be published annually in the parent and staff handbooks, in the School District Annual Report to the public, on the School District's web site, on each individual school's web site, and/or in the School District's calendar.
- C. The names, titles, and/or contact information of the persons presently serving as Compliance Officers may change from time to time, and such changes shall be deemed technical corrections within the meaning of Bylaw 0131.1 and shall be made pursuant to that bylaw.
- D. A Compliance Officer will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the School District community, and <code>Third PParties</code> who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.
- E. Any Board employee who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Anti-Harassment Compliance Officers within two (2) business days. Thereafter, the Compliance Officer or designee must contact the student Complainant, if over age eighteen (18) or the student's Complainant's parents/guardians if the Complainant is under the age eighteen (18), within two (2) business days to advise s/he/them of the Superintendent's intent to investigate the alleged misconduct, including the obligation of the compliance officer or designee to conduct an investigation following all the procedures outlined for a formal complaint.
- F. Compliance Officers are assigned to accept complaints of unlawful harassment directly from any member of the School District community or a visitor to the District or to receive complaints which are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, the Compliance Officer will begin either an informal or formal process (depending on the request of the member of the School District community alleging harassment), or the Compliance Officer will designate a specific individual to conduct such a process. In the case of a formal complaint, the Compliance Officer will prepare, after consultation with Risk Management, and/or the Board Attorney, recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of unlawful harassment which are reported to them to a Compliance Officer within five (5) calendar days of learning of the incident.

- A. Except for Sexual Harassment that is covered by Policy 2266 Nondiscrimination on the Basis of Sex in Education Program or Activities, Aany employee or other member of the School District community or visitor to the District Third Party who believes that s/he has they have been subjected to unlawful harassment may seek resolution of his/her the complaint through either the informal or formal the procedures as described below. The formal complaint process involves an investigation of the Complainant's claims of harassment or retaliation and a process for rendering a decision regarding whether the charges are substantiated. Further, a process for investigating claims of harassment and a process for rendering a decision regarding whether the claim of legally prohibited harassment or retaliation was substantiated are set forth below.
- B. Due to the sensitivity surrounding complaints of unlawful harassment or retaliation, time lines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) calendar days of the complaint being received).
- C. The informal and formal procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education, Office for Civil Rights, the Florida Civil Rights Commission, and/or the Equal Employment Opportunity Commission.

## VII. Informal Complaint Procedure

- A. The goal of the informal complaint procedure is to promptly stop inappropriate behavior and to investigate and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student, other member of the School District community, or Third Party who alleges unlawful harassment or retaliation. who believes s/he has been unlawfully harassed or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint.
- B. Employees, other members of the School District community, or \*Third Parties who believe that they have been unlawfully harassed or retaliated against may initiate their complaint through this informal complaint process, but are not required to do so. The informal process is only available in those circumstances where the Complainant and the Respondent mutually agree to participate in it. parties (alleged target of harassment and alleged harasser(s)) agree to participate in the informal process.
- C. The Complainant Employees, other members of the School District community, or third parties who believe that they have been unlawfully harassed or retaliated against may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.
- D. However, all complaints of harassment involving a District employee, any other adult member of the School District community, or a third party against a student will be formally investigated. All complaints involving a District employee, any other adult member of the School District community, or a Third Party and a student will be formally investigated.
- E. As an initial course of action, if a Complainant feels comfortable and safe in an individual feels that s/he is being unlawfully harassed and s/he is able and feels safe doing so, the individual should tell or otherwise inform the Respondent that the alleged harassing harasser that the conduct is unwelcome and must stop. Such direct communication should not be utilized in circumstances involving sexual violence. The complaining individual Complainant should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officers is available to support and counsel individuals when taking this initial step or to intervene on behalf of the individual Complainant if requested to do so. An individual A Complainant who is uncomfortable or unwilling to directly approach the Respondent about the allegedly inappropriate conduct may file inform the harasser of his/her complaint is not prohibited from otherwise filing an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.
- F. An individual who believes s/he has been unlawfully harassed A Complainant may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator; (2) to the Superintendent or other District-level employee; and/or (3) directly to one of the Compliance Officers.
- G. All informal complaints must be reported to the Compliance Officers who will either facilitate an informal resolution as described below on his/her own or appoint another individual to facilitate an informal resolution.
- H. The School District's informal complaint procedure is designed to provide employees, other members of the School District community, or third pParties who believe they are being unlawfully harassed by another individual with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the individual claiming unlawful harassment Complainant, informal resolution may involve, but not be limited to, one or more of the following:
  - 1. Advising the individual Complainant about how to communicate the REVARD-23-1239-A-066475 to the alleged harasser Respondent.

- Distributing a copy of the anti-harassment this policy as a reminder to the individuals in the school building or
  office where the individual whose behavior is being questioned Respondent works or attends.
- 3. If both parties agree, the Compliance Officers may arrange and facilitate a meeting or mediation between the Complainant and Respondent to work out a mutual resolution between the individual claiming harassment and the individual accused of harassment to work out a mutual resolution. Such a meeting is not appropriate in circumstances involving sexual violence.
- I. While there are no set time limits within which an informal complaint must be resolved, the Compliance Officers or designee will exercise his/her authority is directed to attempt to resolve all informal complaints within fifteen (15) calendar days of receiving the informal complaint. IF the Complainant is Parties who are dissatisfied with the results of the informal complaint process, the Complainant may proceed to file a formal complaint. And, as stated above, parties either party may request that the informal process be terminated at any time to move to the formal complaint process.
- J. All materials generated as part of the informal complaint process will be retained by the Compliance Officers or designee in accordance with the Board's records retention policy. (See Policy 8310 and Policy 8320)

## **VIII. Formal Complaint Procedure**

- A. If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or the Complainant, from the outset, elects to file a formal complaint, or the CO determines the allegations are not appropriate for resolution through the informal process if the individual elects to file a formal complaint initially, the formal complaint process as described below shall be implemented.
- B. This formal complaint process is not intended to interfere with the rights of an employee, other member of the School District community, or third party to pursue a complaint of unlawful harassment with the United States Department of Education, Office for Civil Rights, the Florida Civil Rights Commission, or the Equal Employment Opportunity Commission.
- C. An individual who believes s/he has been subjected to offensive conduct/harassment hereinafter referred to as the "complainant", The Complainant may file a formal complaint, either orally or in writing with a teacher, principal, the Compliance Officer, Superintendent, or other District employee official. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, time lines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. If a complainant informs a teacher, principal, the Compliance Officer, Superintendent, or other District employee official, either orally or in writing, about any complaint of harassment, that employee must report such information to the Compliance Officer or designee within two (2) business days.
- D. Throughout the course of the process as described herein, the Compliance Officer should keep the parties informed of the status of the investigation and the decision-making process.
- E. All formal complaints must include the following information to the extent it is available known: the identity of the individual believed to have engaged in, or engaging in, offensive conduct/harassment/retaliation Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the complainant.
- F. If the complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter the Compliance Officer will prepare a written summary of the oral interview, and the complainant will be asked to verify the accuracy of the reported charge by signing the document.
- G. Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the eComplainant from further harassment or retaliation including but not limited to a change of work assignment or schedule for the eComplainant and/or the alleged harasser Respondent. In making such a determination, the Compliance Officer should consult the eComplainant to assess his/her agreement to any action deemed appropriate. If the eComplainant is unwilling to consent to any change that is deemed appropriate by the Compliance Officer, the Compliance Officer may still take whatever actions s/he deems deemed appropriate in consultation with the Superintendent and/or Board Attorney.
- H. Within-five (5) business two (2) days of receiving a formal complaint, the Compliance Officer or a designee will initiate a formal investigation to determine whether the complainant has been subjected to offensive conduct/harassment/retaliation. AThe Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

and/or administrative procedures and the Board's anti-harassment policy shall be provided to the respondent at that time. The respondent must also be informed of the opportunity to submit a written response to the formal complaint within five (5) business—days.

- J. Although certain cases may require additional time, the Compliance Officer or a designee will attempt to complete an investigation into the allegations of harassment/retaliation within fifteen (15) calendar days of receiving the formal complaint. The investigation will include:
  - 1. interviews with the <a>e</a>Complainant;
  - 2. interviews with the Respondent;
  - 3. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
  - 4. consideration of any documentation or other evidence presented by the complainant, respondent, or any other witness which is reasonably believed to be relevant to the allegations.
- K. At the conclusion of the investigation, the Compliance Officer or the designee shall consult with the Board Attorney and Office of Employee Benefits and Risk Management. A written report shall then be prepared and delivered to the Superintendent which summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Respondent engaged in unlawful harassment/retaliation of the Complainant. complainant has been subject to unlawful harassment. The Compliance Officer's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used. The Compliance Officer may consult with the Board Attorney before finalizing the report to the Superintendent.
- L. Absent extenuating circumstances, within ten (10) businessfive (5) days of receiving the report of the Compliance Officer or the designee, the Superintendent must either issue a final written decision regarding whether or not the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the complainant and the respondent. The decision of the Superintendent will be final.
- M. If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within ten (10) business five (5) days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.
- N. The Superintendent reserves the right to investigate and resolve a complaint or report of unlawful harassment regardless of whether the member of the School District community or third pParty alleging the unlawful harassment pursues the complaint. The Superintendent also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Superintendent.
- O. The parties may be represented, at their own cost, at any of the above-described meetings/hearings.
- P. The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights,m the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

## IX. Privacy/Confidentiality

- A. The School District will employ all reasonable efforts to protect the rights of the eComplainant, the individual(s) against whom the complaint is filed the Respondent, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and related administrative procedures shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity. All complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the respondent.
- B. During the course of a formal investigation, the Compliance Officer or his/her designee will instruct all members of the School District community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that is learned or provided s/he learns or that s/he provides during the course of the investigation.
- C. All public records created as a part of an investigation of a complaint of harassment will be maintained by the Compliance Officer in accordance with the Board's records retention policy. Any records which are considered student records in accordance with the Family Educational Rights and Privacy Act will be maintained in a manner consistent with the provisions of the Federal and State laws.

- A. The Superintendent shall vigorously enforce the Board's prohibitions against unlawful harassment by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Superintendent may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).
- B. Where the Superintendent becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Superintendent shall be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

### XI. Retaliation

Any act of retaliation against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation is prohibited.

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy. Any act of retaliation against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation is prohibited.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

### XII. Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

- A. State law requires any teacher or school employee who knows or suspects that a child under the age of eighteen (18) is a victim of child abuse or neglect to immediately report that knowledge or suspicion to the Department of Children and Family Services. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the complainant, a report of such knowledge must be made in accordance with State law and Board policy.
- B. If the Compliance Officer or a designee has reason to believe that the complainant has been the victim of criminal conduct as defined under Florida law, such knowledge should be reported to local law enforcement.
- C. Any reports made to the local child protection service or to local law enforcement shall not terminate the Compliance Officer's or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officers or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

# XIII. Mandatory Reporting of Misconduct by Certificated Employees

The Superintendent is required by State law and Board Policy 8141 to report alleged misconduct by certificated employees of the District that affects the health, safety, or welfare of a student. In accordance with Board policy and State law, the Superintendent shall investigate each allegation of such conduct and, if confirmed, shall report such misconduct pursuant to Policy 8141.

### XIV. Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding this policy and harassment in general, will be age and content appropriate.

# V. Retention of Investigatory Records and Materials

The Compliance Officer(s) is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy spall retain all information ("ESI"), and electronic media (as defined in Policy 8315) created and received as part of an

investigation, including, but not limited to:

- 1. all written reports/allegations/complaints/statements;
- 2. narratives of all verbal reports/allegations/complaints/statements;
- 3. a narrative of all actions taken by District personnel;
- 4. any written documentation of actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities;
- 5. contemporaneous notes in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.) pertaining to the investigation;
- 6. written disciplinary sanctions issued to students or employees and a narrative of verbal disciplinary sanctions issued to students or employees for violations of the policies and procedures prohibiting discrimination or harassment;
- 7. dated written determinations to the parties;
- 8. dated written descriptions of verbal notifications to the parties;
- 9. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- documentation of any supportive measures offered and/or provided to the Complainant and/or the Respondent, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- 11. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks);
- 12. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment; and
- 13. documentation of any training provided to District personnel related to this policy, including but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy. [REMINDER: Documentation of training should be maintained regardless of whether there is an investigation of an alleged violation of this policy. It is best practice to maintain a log of all staff members who participate in a training, along with the date, time, and location of the training, and a copy of the materials reviewed and/or presented during the training.]

The information, documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal ans/or State law (e.g., student records). The information, documents, ESI, and electronic media (as defined in policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

Revised 11/16/10 Revised 7/19/16 Revised 6/22/17 Revised 8/27/19

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Legal F.S. 110.1221

F.S. 250,481

F.S. 760.01

F.S. 760.10

F.S. 784.049

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F.S. 1000.05

F.S. 1006.07

20 U.S.C. 1400 et seq., The Individuals with Disabilities Improvement Act of 2004, as amended (commonly known as the Individuals with Disabilities Act)

42 U.S.C. 2000d et seq.

42 U.S.C. 2000e et seq.

29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967

29 U.S.C. 794, Rehabilitation Act of 1973

29 C.F.R. Part 1635

29 U.S.C. 6101, The Age Discrimination Act of 1975

38 U.S.C. 4301 et seq., The Uniformed Services Employment and Reemployment Rights Act FL-BREVARD-23-1239-A-000479



42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
20 U.S.C. 1681 et seq.
42 U.S.C. 1983
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

Last Modified by Paul Gibbs on December 20, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title BENEFITS

Code \*po3420; DD 01.10.24, DH 01.17.24

Status

Adopted May 1, 2002

Last Revised October 28, 2014

#### 3420 - **BENEFITS**

The Board shall provide eligible staff members with the following benefits:

### A. Life Insurance

All eligible employees will have life insurance in an amount equal to their annual salary, computed to the nearest \$1,000. Additional life insurance and limited dependent coverage are options provided to eligible employees at a group rate.

## B. <u>Hospitalization and Medical Care Benefits</u>

Through a flexible benefits program, eligible employees shall have the opportunity to enroll in hospitalization and medical care benefits.

## C. Employee Assistance Program

An Employee Assistance Program which, through outside professional counseling, may provide help for employees and their families in areas including, but not limited to, emotional disorders; chemical (alcohol or drug) abuse; and/or marital, financial, family, legal, or occupational problems. The Proposed additions or changes to the program shall be reviewed by the Superintendent and a recommendation for these services shall be made to the Board for approval.

### D. Liability Coverage

All employees will have insurance covering injury and property damage liability arising from the performance of assigned duties. This policy covers the employee's liability for negligent acts arising out of employee activities.

# E. Workers' Compensation

Florida State law requires Workers' Compensation to be provided to all employees and volunteers of the District. This assures employees who sustain a work-related illness or injury both income and medical care for that injury until they are able to return to work.

An employee who is eligible for Workers' Compensation may be paid earned sick leave benefits in addition to Workers' Compensation benefits. The sick leave amount is reduced by the amount of the Workers' Compensation benefit. In no case can total pay exceed the employee's regular at-work salary.

# F. Other Insured Employee Benefits

Dental, vision, short term disability, long term disability, and accidental death and dismemberment group insurance plans are available to eligible employees.

G. Flexible Spending Accounts

Through a cafeteria style flexible benefits plan, accounts are available as an option for paying some medical, dental, vision, and child care costs with pre-tax dollars.

### H. Legal Services

Legal services in tort action shall be provided for employees at such time when the action is construed to be an outcome of duties performed for the Board within the scope of the employees' duties in acceptance with F.S. 768.28.

### I. Holidays

Holidays will be designated by the Board at the time it adopts and amends the school calendar and/or ratifies contractual agreements with employee bargaining units.

### J. Sick Bank

The sick bank, available to eligible employees, is a source from which additional paid sick leave days may be granted for the employee's catastrophic, prolonged personal illness, accident, or injury. Membership in the sick bank is available to employees after completion of at least one (1) full employment year with the District. The procedures may be updated by the Superintendent as necessary.

## K. Calculation of Terminal Pay and Annual Payment for Accumulated Sick Pay

All calculations dealing with terminal pay for accumulated sick pay and annual leave and with annual payment for accumulated sick leave shall be based on the employee's daily rate. The daily rate of salaried employees shall be calculated using the actual number of days in the applicable contract year.

### L. Retirement

Retirement options including, but not limited to regular, disability, In-Line-of-Duty, and the Deferred Retirement Option Plan (DROP) are available to eligible employees.

The procedures manual and all Florida Retirement System retirement guides published by the State of Florida, Department of Management Services, Division of Retirement are incorporated by reference and are part of this Board policy.

#### M. Terminal Pay

Employees shall be eligible for terminal pay at the time of normal retirement, provided that normal retirement coincides with termination, or payment to the beneficiary, if service is terminated by death. The Superintendent shall develop Terminal Pay Procedures. The procedures may be updated by the Superintendent as necessary.

## N. Reemployment

With the approval of the Superintendent, retired employees may be rehired following prescribed reemployment rules outlined by the Florida Retirement System (FRS).

Revised 8/24/04 Revised 1/05 Revised 4/12/05 Revised 4/27/10 Revised 10/28/14

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Legal <u>F.S. 112.08</u>

F.S. 121.1915

F.S. 121.021

F.S. 440.491

F.S. 1012.26

F.S. 1012.61

F.S. 1012.65

F.S. 1012.798



Last Modified by Dorinda Howard on January 17, 2024



Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title FMLA LEAVE

Code \*po3430.01 DH 12.21.23

Status

Adopted May 1, 2002

Last Revised October 28, 2014

3430.01 - FMLA LEAVE

### Qualifying Reasons for FMLA and Military Family Leave

In accordance with the Family and Medical Leave Act of 1993, as amended, ("FMLA"), eligible staff members may take up to twelve (12) work weeks of job-protected, unpaid leave, or substitute appropriate paid leave if the staff member has earned or accrued it, for the following reasons:

- A. the birth and/or care of a newborn child of the staff member, within one (1) year of the child's birth;
- B. the placement with the staff member of a child for adoption or foster care, within one (1) year of the child's arrival;
- C. the staff member is needed to provide physical and/or psychological care for a spouse, child, or parent with a serious health condition;
- D. the staff member's own serious health condition makes him/her unable to perform the functions of his/her position; or
- E. any qualifying exigency (as defined in applicable Federal regulations) arising out of the fact that the staff member's spouse, son, daughter, or parent is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces ("Qualifying Exigency Leave"). Covered active duty means duty during deployment with the Armed Forces to a foreign country.

In addition, an eligible staff member who is a spouse, son, daughter, parent, or next of kin of a covered service member may take up to a total of twenty-six (26) work weeks of job-protected, unpaid leave, or substitute appropriate paid leave if the staff member has earned or accrued it, during a "single twelve (12) month period" to provide physical and/or psychological care for the covered service member ("Military Caregiver Leave"). A covered service member is defined as (1) a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or (2) a veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five (5) years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy. Serious injury or illness for purposes of Military Caregiver Leave is defined as an injury or illness incurred by a covered service member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the covered service member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that may render the service member medically unfit to perform the duties of his/her office, grade, rank, or rating. In the case of a veteran, the injury or illness could have manifested itself before or after the member became a veteran. The single twelve (12) month period for leave to care for a covered service member with a serious injury or illness begins the first day the staff member takes leave for this reason and ends twelve (12) months later, regardless of the twelve (12) month period established below for general FMLA leave. During the "single twelve (12) month period", an eligible staff member is limited to a combined total of twenty-six (26) work weeks of unpaid leave for any FMLA-qualifying reason. (Only twelve (12) of the twenty-six (26) work weeks total may be for a FMLA- qualifying reason other than to Far BREVARIPESSE284-000488

#### Eligible Employees

Staff members are "eligible" if they have worked for the School Board for at least twelve (12) months, and for at least 1,250 hours over the twelve (12) months prior to the leave request., ( ) and are employed at a work site where fifty (50) or more employees are employed by the Board within seventy-five (75) miles of that work site. [NOTE: only include this option if it is possible an employee in the District may not meet this criteria; in most, if not all, school districts in Florida, this criteria will be met.] All full-time instructional employees are deemed to meet the 1,250 hour requirement. Months and hours that members of the National Guard or Reserve would have worked if they had not been called up for military service counts towards the staff member's eligibility for FMLA leave. While the twelve (12) months of employment need not be consecutive, employment periods prior to a break in service of seven (7) years or more will not be counted unless the break is occasioned by the staff member's fulfillment of his/her National Guard or Reserve military obligation, or a written agreement [NOTE: this includes a collective bargaining agreement] exists concerning the Board's intention to rehire the staff member after the break in service.

#### Twelve (12) Month Period

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Twelve (12) month period is defined as:

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( ) the calendar year.

( ) a fixed twelve (12) month period (i.e. the "leave year" is identical for all staff members—e.g., a fiscal year or calendar year).

( ) the twelve (12) month period measured forward from the date the staff member's first FMLA leave begins (i.e., the "leave year" is specific to each individual staff member).

(-) a rolling twelve (12) month period measured backward from the date the staff member uses FMLA leave (i.e. the "leave year" is specific to each individual staff member).

# Serious Health Condition

Serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a healthcare provider. As utilized in this policy, the term "incapacity" means an inability to work, attend school, or perform other regular daily activities due to the serious health condition, treatment therefore, or recovery therefrom. The term "treatment" includes (but is not limited to) examinations to determine if a serious health condition exists and evaluations of the condition. (Treatment does not include routine physical examinations, eye examinations, or dental examinations.)

- A. Inpatient care means an overnight stay in a hospital, hospice, or residential medial-care facility, including any period of incapacity or subsequent treatment in connection with such inpatient care.
- B. Continuing treatment by a healthcare provider, includes any one or more of the following: 1.) "incapacity and treatment"; 2.) any incapacity experienced by an expectant mother related to pregnancy, or for prenatal care; 3.) any incapacity or treatment for such incapacity due to a chronic serious health condition; 4.) a period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective (e.g., Alzheimer's, a severe stroke, terminal stages of a disease); or 5.) any period of absence to receive multiple treatments (including any period of recovery therefrom) by a healthcare provider or by a provider of healthcare services under orders of, or on referral by, a healthcare provided for a.) restorative surgery after an accident, or b.) other injury or a condition that would likely result in a period of incapacity of more than three (3) consecutive, full calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), or kidney disease (dialysis).
  - 1. "Incapacity and treatment" involves a period of incapacity of more than three (3) consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves a.) treatment two (2) or more times, within thirty (30) days of the first day of incapacity, unless extenuating circumstances exist, by a healthcare provider, by a nurse under direct supervision of a healthcare provider, or by a provider of healthcare services (e.g., physical therapist) under orders of, or on referral by, a healthcare provider, or b.) treatment by a healthcare provider on at least one (1) occasion that results in a regimen of continuing treatment under the supervision of a healthcare provider.



continuing treatment is necessary within the thirty (30) day period.

b. Regimen of continuing treatment includes a course of prescription medication (e.g. antibiotics), or therapy requiring special equipment to resolve or alleviate the health condition (e.g. oxygen).

c. A regimen of continuing treatment that includes the taking of over-the-counter medications such as aspirin, antihistamines, or salves; or bed-rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a healthcare provider, is not, by itself, sufficient to constitute a regimen of continuing treatment for purposes of FMLA leave.

2. An expectant mother is entitled to FMLA leave for incapacity due to pregnancy even if she does not receive treatment from a healthcare provider during the absence, and even if the absence does not last for more than three (3) consecutive, full calendar days.

3. A chronic serious health condition is one that: a.) requires periodic visits (i.e., at least twice a year) for treatment by a healthcare provider, or by a nurse under direct supervision of a healthcare provider; b.) continues over an extended period of time (including recurring episodes of a single underlying condition); and c.) may cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.). A visit to a healthcare provider is not necessary for each absence, and each absence need not last more than three (3) consecutive, full calendar days.

4. With regard to permanent or long-term conditions, the employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a healthcare provider.

C. Conditions for which cosmetic treatment are administered (e.g., most treatments for acne or plastic surgery) are not "serious health conditions" unless inpatient hospital care is required or complications develop. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomachs, minor ulcers, headaches other than migraines, routine dental or orthodontia problems, periodontal disease, etc., are conditions that do not meet the definition of a serious health condition and do not qualify for FMLA leave.

### Intermittent and Reduced Schedule Leave

The Superintendent may allow a staff member to take FMLA leave intermittently (i.e., leave in separate blocks of time for a single qualifying reason) or on a reduced leave schedule (i.e., reducing the employee's usual weekly or daily work schedule) for reason (A) or (B) on page one. A staff member is entitled to take FMLA leave on an intermittent or reduced schedule leave when medically necessary as indicated in reasons (C) and (D) on page one. A staff member may also take FMLA leave on an intermittent or reducedleave schedule for Qualifying Exigency Leave (i.e., reason (E) on page one). Finally, Military Caregiver Leave may be taken on an intermittent or reduced schedule leave when medically necessary. Regardless, the taking of FMLA leave intermittently or on a reduced schedule leave results in the total reduction of the twelve (12) or twenty-six (26) weeks only by the amount of leave actually taken. If the intermittent or reduced schedule leave is foreseeable based on planned medical treatment for the employee, a family member, or a covered service member, the Superintendent may require the staff member to transfer temporarily, during the period the intermittent or reduced schedule leave is required, to an available alternative position for which the staff member is qualified and which better accommodates recurring periods of leave than the staff member's regular position. The alternative position shall have equivalent pay and benefits but not necessarily equivalent duties. The Superintendent may also transfer the staff member to a part-time job with the same hourly rate of pay and benefits, provided the staff member is not required to take more leave than is medically necessary. Instructional staff members (i.e. individuals whose principal function is to teach and instruct students in a class, a small group, or an individual setting) who request intermittent leave or a reduced schedule leave because of reasons (C) or (D) on page one or pursuant to Military Caregiver Leave and the leave would exceed twenty percent (20%) of the total number of working days over the period of anticipated leave must elect either to:

A. take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or

B. transfer temporarily to an available alternative position offered by the Superintendent for which the instructional staff member is qualified, and that has equivalent pay and benefits and that better accommodates the recurring periods of leave than the staff member's regular position.

When leave is needed for planned medical treatment, the staff member must make a reasonable effort to schedule the treatment so as not to unduly disrupt the District's operations, subject to the approval of the healthcare provider.

If the Superintendent agrees to permit FMLA leave intermittently or on a reduced schedule leave for reason (A) or (B) on page one, the Board may also require the staff member to transfer temporarily, during the period the intermittent or reduced schedule leave is required, to an available alternative position for which the staff member is qualified and which better accommodates recurring periods of leave then does the staff member's regular position.

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Staff Member Notice Requirements (Forms available at the U.S. Department of Labor Website: www.dol.gov)

Staff members seeking to use FMLA leave (including Military Caregiver Leave) are required to provide thirty (30) days advance notice of the need to take FMLA leave when the need is foreseeable and such notice is practicable. If leave is foreseeable less than thirty (30) days in advance, the staff member must provide notice as soon as practicable - generally, either the same or next business day. When the need for leave is not foreseeable, the staff member must provide notice as soon as practicable under the facts and circumstances of the particular case. Absent unusual circumstances, staff members must comply with the Board's usual and customary notice and procedural requirements for requesting leave. Failure to provide timely notice may result in the leave being delayed or denied, and/or possible disciplinary action.

Staff members must provide "sufficient information" for the Superintendent to determine whether the FMLA may apply to the leave request. Depending on the situation, such information may include that the employee is incapacitated due to pregnancy, has been hospitalized overnight, is unable to perform the functions of the job, that the staff member or his/her qualifying family member is under the continuing care of a healthcare provider, that the requested leave is for a particular qualifying exigency related to a qualifying family member's covered active duty or call to covered active duty status, or that the leave due to a qualifying family member who is a covered service member with a serious injury or illness. The information may also include the anticipated timing and duration of the leave.

When a staff member seeks leave for a FMLA-qualifying reason for the first time, the staff member need not expressly assert FMLA rights or even mention the FMLA. When an employee seeks leave, however, due to a FMLA-qualifying reason for which the District has previously provided the staff member FMLA-protected leave, the staff member must specifically reference either the qualifying reason for leave or the need for FMLA leave.

Substitution of Paid Leave

The Board shall require the staff member

The staff member may request

to "substitute" (i.e., run concurrently) any of his/her earned or accrued paid leave (e.g., sick leave, personal leave, () assault leave, vacation leave, () compensatory leave, () family leave) for unpaid FMLA leave. An employee's ability to substitute accrued paid leave is determined by the terms and conditions of the District's normal leave policy. A staff member electing to use any type of paid leave concurrently with FMLA leave must follow the same terms and conditions of the Board's policy that apply to other employees for use of such leave. The staff member is always entitled to unpaid FMLA leave if s/he does not meet the Board's conditions for taking paid leave. On occasion the Board may waive any procedural requirements for the taking any of type of paid leave.

[ ] If a staff member requests and is permitted to use accrued compensatory time to receive pay for time taken off for an FMLA reason, or if the Superintendent requires such use pursuant to the Fair Labor Standards Act, the time taken will be counted against the staff member's FMLA leave entitlement.

If the staff member has not earned or accrued adequate paid leave to encompass the entire twelve (12) work week period of FMLA leave or twenty-six (26) work week period of Military Caregiver Leave, the additional weeks of leave to obtain the twelve (12) work weeks of FMLA leave or twenty-six (26) work weeks of Military Caregiver Leave the staff member is entitled to shall be unpaid. Whenever a staff member uses paid leave in substitution for unpaid FMLA leave/Military Caregiver Leave, such leave counts toward the twelve (12) work week/twenty-six (26) work week maximum leave allowance provided by this policy and Federal law.

District Notice Requirements (Forms available at the U.S. Department of Labor Website: www.dol.gov)

The Superintendent is directed to post the Department of Labor approved Notice explaining employees' rights and responsibilities under the FMLA. The notice must be posted prominently where it can be readily seen by employees and applicants and shall either be distributed to each new employee upon hiring or be included in employee handbooks or other written guidance concerning benefits or leave rights. Electronic posting is sufficient to meet these requirements.

When a staff member requests FMLA leave or the District acquires knowledge that leave may be for a FMLA purpose, the Superintendent shall notify the staff member of his/her eligibility to take leave, and inform the staff member of his/her rights and responsibilities under the FMLA (including the consequences of failing to meet those obligations). Along with the Notice of Rights and Responsibilities, the Superintendent will attach any medical certification that may be required, and a copy of the employee's essential job functions. [NOTE: If the essential job functions are not provided at this time, they must be provided with the Designation Notice Form.] If the Superintendent determines the staff member is not eligible for FMLA leave, the Superintendent must state at least one (1) reason why the staff member is not eligible. Such notice may be given orally or in writing and should be given within five (5) business days of the request for FMLA leave, absent extenuating circumstances. When oral notice is given, it must be followed by written notice within five (5) business days. Staff members lightly it is determined (12) month

period. All FMLA absences for the same qualifying reason are considered a single leave and staff member eligibility as to that reason for leave does not change during the applicable twelve (12) month period. If at the time a staff member provides notice of a subsequent need for FMLA leave during the applicable twelve (12) month period due to a different FMLA-qualifying reason and the staff member's eligibility status has not changed, no additional eligibility notice is required. If, however, the staff member's eligibility status has changed, the Superintendent must notify the staff member of the change in eligibility status within five (5) business days, absent extenuating circumstances.

If the specific information provided by the Notice of Rights and Responsibilities changes, the Superintendent shall, within five (5) business days of receipt of the staff member's first notice of need for leave subsequent to any changes, provide written notice referencing the prior notice and setting forth any of the information in the Notice of Rights and Responsibilities that has changed.

When the Superintendent has sufficient information to determine that leave is being taken for a FMLA-qualifying reason (e.g. after receiving certification), the Superintendent shall notify the staff member whether the leave will be designated and counted as FMLA leave. Leave that qualifies as both Military Caregiver Leave and leave to care for a qualifying family member with a serious health condition (i.e. reason (C)) must be considered as Military Caregiver Leave in the first instance. This designation must be in writing and must be given within five (5) business days of the determination, absent extenuating circumstances. Additionally, when appropriate, the Superintendent shall notify the staff member of the number of hours, days and weeks that will be counted against the employee's FMLA entitlement., and whether the employee will be required to provide a fitness-for duty certification to return to work. [NOTE: If a handbook or other written document clearly provides that fitness-for duty certification will be required in specific circumstances, the Board's designee may provide only oral notice of this requirement.]

Only one Designation Notice is required for each FMLA-qualifying reason per applicable twelve (12) month period, regardless of whether the leave taken due to the qualifying reason will be a continuous block of leave or as intermittent or on a reduced schedule leave. If the Superintendent determines the leave will not be designated as FMLA-qualifying (e.g. if the leave is not for a reason covered by the FMLA or the staff member's FMLA leave entitlement has been exhausted), the Superintendent shall notify the staff member of that determination. If the staff member is required to substitute paid leave for unpaid FMLA leave, or if paid leave taken under an existing leave plan is being counted as FMLA leave, the "Designation Notice" shall include this information. Additionally, the "Designation Notice" shall notify the staff member if s/he is required to present a fitness-for-duty certification to be restored to employment. Further, if the fitness-for-duty certification is required to address the staff member's ability to perform the essential functions of his/her job, that will be indicated on the Designation Notice, and a list of the essential functions of the staff member's position will be included.

If the information provided to the staff member in the Designation Notice changes, the Superintendent shall provide, within five (5) business days of receipt of the staff member's first notice of need for leave subsequent to any change, written notice of the change.

In the case of intermittent or reduced-leave schedule leave, only one such notice is required unless the circumstances regarding the leave have changed.

Limits on FMLA When Both Spouses are Employed by the Board

When eligible spouses are both employed by the Board, they are limited to a combined total of twelve (12) workweeks of FMLA leave during any twelve (12) month period if the leave is taken for reason (A) or (B) on page one, or to care for the staff member's parent who has a serious health condition.

Where the spouses both use a portion of the total twelve (12) week FMLA leave entitlement for reason (A) or (B) on page, or to care for a parent, the spouses are each entitled to the difference between the amount s/he has taken individually and the twelve (12) weeks of FMLA leave for other purposes.

When eligible spouses are both employed by the Board, they are limited to a combined total of twenty-six (26) workweeks of Military Caregiver Leave during the "single twelve (12) month period" if the leave is taken for reason (A) or (B) on page one, or to care for the staff member's parent who has a serious health condition, or to care for a covered service member with a serious injury or illness.

Certification

When FMLA leave is taken for either reason (C) or (D) on page one, the staff member must provide medical certification from the healthcare provider of the eligible staff member or his/her immediate family member. The staff member may either:

A. submit the completed medical certification to the Superintendent; or

B. direct the healthcare provider to transfer the completed medical certification directly to the Superintendent, which will generally require the staff member to furnish the healthcare provider with a HIPAA-compliant authorization.

If the staff member fails to provide appropriate medical certification, any leave taken by the employee shall not constitute FMLA leave.

When the need for FMLA leave is foreseeable and at least thirty (30) days notice has been provided, the staff member must provide the medical certification before the leave begins. When this is not possible, the employee must provide the requested certification to the Superintendent within fifteen (15) calendar days after the staff member requests FMLA leave unless it is not practicable under the circumstances to do so despite the staff member's diligent and good faith efforts.

The Board reserves the right to require second or third opinions (at the Board's expense), and periodic recertification of a serious health condition. If a third opinion is sought, that opinion shall be binding and final. The staff member may either:

- A. submit the opinion of the second healthcare provider, and the opinion of the third healthcare provider if applicable, to the Superintendent; or
- B. direct the second or third healthcare provider to transfer his/her opinion directly to the Superintendent, which will generally require the staff member to furnish the healthcare provider with a HIPAA-compliant authorization.

In the event that the staff member fails to provide the medical opinion of the second or third healthcare provider, if applicable, any leave taken by the staff member shall not constitute FMLA leave.

## Recertification

Recertification may be required no more often than every thirty (30) days in connection with an absence by the staff member unless the condition will last for more than thirty (30) days. For conditions that are certified as having a minimum duration of more than thirty (30) days, the District will not request recertification until the specified period has passed, except that in all cases the staff member must submit recertification every six (6) months in connection with an absence by the employee. Additionally, the Superintendent may require a staff member to provide recertification in less than thirty (30) days if the staff member requests an extension of leave, the circumstances described in the previous certification have changed significantly, or if the District receives information that casts doubt upon the staff member's stated reason for the absence or the continuing validity of the certification. Finally, staff members must provide a new medical certification each leave year for medical conditions that last longer than one (1) year.

Staff members requesting Qualifying Exigency Leave are required to submit to the Superintendent a copy of the covered military member's active duty orders and certification providing the appropriate facts related to the particular qualifying exigency for which leave is sought, including contact information if the leave involves meeting with a third party.

Staff members requesting Military Caregiver Leave are required to submit to the Superintendent certification completed by an authorized healthcare provider or a copy of an Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA) issued to any member of the covered service member's family.

The Board authorizes its healthcare provider, () human resource professional, () leave administrator, () management official—but not the staff member's direct supervisor—to authenticate or clarify a medical certification of a serious health condition, or an ITO or ITA (i.e. medical certification provided for reasons (C) or (D) on page one or Military Caregiver Leave). Additionally, the Superintendent is authorized to contact the individual or entity named in the Qualified Exigency Leave certification for purposes of verifying the existence and nature of the meeting.

[ ] A staff member who takes leave for reason (D) on page one, prior to returning to work, must provide the Superintendent with a fitness for duty certification that specifically addresses the staff member's ability to perform the essential functions of his/her job. The fitness for duty certification shall only apply to the particular health condition that caused the staff member's need for FMLA leave. [NOTE: If this option is selected, it must be uniformly applied to all similarly situated employees (i.e., same occupation, same serious health condition) returning from leave for their own serious health condition, and a list of the employee's essential functions must be provided to him/her at the time his/her leave was designated as FMLA leave.] If reasonable safety concerns exist, the Superintendent may, under certain circumstances, require a staff member to submit a fitness for duty certification before s/he returns to work from intermittent FMLA leave. The cost of the certification shall be borne by the staff member.

Job Restoration & Maintenance of Health Benefits

the premium payments prior to going on FMLA leave, the stan member must continue to pay his/her share during the leave.
Any leave or return from leave during the last five (5) weeks of an academic term shall be reviewed individually by the Superintendent to minimize disruption to the students' program.
[-] The staff member shall not accrue any sick leave, vacation, or other benefits during a period of unpaid FMLA leave.
The use of FMLA leave shall not result in the loss of any employment benefit that the staff member earned or was entitled to beforusing FMLA leave—( ), nor shall it be counted against the staff member under a no fault attendance policy. If a bonus or other payment, however, is based on the achievement of a specified goal such as hours worked or perfect attendance, and the employee does not meet the goal due to FMLA leave, payment shall be denied unless it is paid to an employee on equivalent leave status for a reason that does not qualify as FMLA leave.
A staff member shall have no greater right to restoration or to other benefits and conditions of employment than if the employee had been continuously employed.
[ ] If the staff member fails to return to work at the end of the leave for reasons other than the continuation, recurrence, or onset a serious health condition that entitle the staff member to leave pursuant to reasons (C) or (D) on page one or Military Caregiver Leave, or for circumstances beyond the control of the staff member, the staff member shall reimburse the Board for the health insurance premiums paid by the Board during the unpaid FMLA leave period.
±
Generally, a staff member may not be required to take more FMLA leave than necessary to resolve the circumstance that precipitated the need for leave.
A staff member who fraudulently obtains FMLA leave is not protected by this policy's job restoration or maintenance of health benefits provisions.
The Superintendent shall prepare any procedures that are appropriate for this policy and ensure that the policy is posted properly.
Copies of this policy shall be available to staff members upon request.
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Consistent with the Federal Family and Medical Leave Act (FMLA) of 1993 as amended, the Board recognizes the right of eligible
employees (determined under the rules of this law) to unpaid job protected family and medical leave for up to twelve (12)

member's current coverage under the Board's group health insurance program on the same conditions as coverage would have been provided if the staff member had been continuously working during the leave period. If the staff member was paying all or part of

Consistent with the Federal Family and Medical Leave Act (FMLA) of 1993 as amended, the Board recognizes the right of eligible employees (determined under the rules of this law) to unpaid, job protected family and medical leave for up to twelve (12) workweeks during any twelve (12) month period. The Board shall ensure that all eligible employees who use such leave shall have their health benefits continued at the active employee contribution rate when such contributions are paid and shall be returned to an equivalent position according to established Board practices, policies, and collective bargaining agreements.

FMLA leave shall run concurrently with all approved medical leaves of absence. The leave may be paid to the extent that earned paid time off is available. Available FMLA time shall be determined using a backward twelve (12) month view from the first day of approved leave to determine the number of FMLA days.

The Board shall ensure that FMLA is provided to all eligible employees. The District shall post a notice prepared or approved by the Secretary of Labor stating the pertinent provisions of the FMLA Act, including information concerning enforcement of the law.

The Superintendent shall prepare any procedures that are appropriate for this policy and ensure that the policy is posted properly. Procedures for administration of this policy can be found by following this link:

http://www.edline.net/pages/Brevard\_County\_Schools/Departments/Departments\_K\_Z/HumanResources/Leave\_of\_Absence.

Copies of this policy shall be available to staff members upon request.



# Revised 11/16/10 Revised 10/28/14

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Legal <u>F.S. 110.221</u>

F.S. 1012.61

29 U.S.C. 2601 et seq. (as amended)

29 C.F.R. Part 825 45 C.F.R. Part 160 45 C.F.R. Part 164

National Defense Authorization Act of 2010

Last Modified by Dorinda Howard on January 9, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title HOMELESS STUDENTS

Code \*\*po5111.01 12/18/23 JK;PG 12-19-23

Status

Adopted April 12, 2005

Last Revised August 24, 2021

### 5111.01 - HOMELESS STUDENTS

#### **Definitions**

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

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

### **Definitions**

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

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

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

NOTE:—According to nonregulatory guidance from the U.S. Department of Education (ED), standards for adequate housing may vary by locality. Please see Education for Homeless Children and Youth Programs, Non-Regulatory Guidance, U.S. Department of Education (ED). for factors to consider when determining whether a child or youth is living in "substandard housing". For purposes of whether a child or youth resides in "substandard housing." the District May Consider whether the setting in which the family, child, or youth is living lacks one (1) of the fundamental utilities such as water, electricity, or heat; is infested with

vermin or mold: lacks a basic functional part such as a working kitchen or a working toilet; or may present unreasonable dangers to adults, children, or persons with disabilities.

Pursuant to the McKinney-Vento Act, an unaccompanied youth includes a homeless child or youth under the age of twenty one (21) and not in the physical custody of a parent or guardian. Under State law an unaccompanied homeless youth who is sixteen (16) years of age or older and found to be an unaccompanied homeless youth eligible for services under Federal law shall be issued a certificate by the District's- McKinney-Vento Liaison for Homeless Children on District letterhead documenting his/her status which is to be accepted by medical providers and the courts.

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

Designated receiving school includes the next level school, elementary from prekindergarten, middle from elementary, high from middle, that a homeless child or youth, whose homelessness continues into the next school year, may attend when that next level school is the District designated school for those students in the homeless student's school of origin.

### Questionnaire(s)

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

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

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

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

# **Services to Homeless Children and Youth**

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

- A. transportation services;
- B. public preschool programs and other educational programs and services for which the homeless student meets eligibility criteria including:

- 2. programs for English learners (ELs) (i.e., students with Limited English Proficiency (LEP);
- 3. programs in career and technical education;
- 4. programs for gifted and talented students;
- 5. school nutrition programs; and
- 6. before and after-school programs.

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

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

### A. coordinate District programs;

- B. collaborate with other school districts, community services providers, and organizations, including:
  - 1. local social services and other community agencies to provide support to homeless students and their families;
  - 2. other school districts regarding homeless student-related transportation, transfer of school records, and other inter-District activities as needed; and
  - 3. housing authorities.
- C. coordinate and collaborate with the State Coordinator for the Education of Homeless Children and Youth as well as with community and school personnel responsible for the provision of education and related services to homeless children and youths, including exceptional student education needs. For more information on the role of the Liaison, refer to AP 5111.01. The liaison will coordinate District operations and services so that:
- A. homeless children/youth are immediately enrolled in and have a full and equal opportunity to succeed in schools of the District as required;
- B. homeless youth receive credit for full or partial schoolwork (when the State develops guidelines regarding how to do so).

The liaison will coordinate District programs and collaborate with other school districts, community service providers and organizations, including local social services and other community agencies to provide support of homeless students and their families, other school districts regarding homeless student related transportation, transfer of school records, and other inter district activities as needed, and housing authorities. The liaison will also ensure that all placement disputes are handled according to legal requirements, and this policy.

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

# **School Stability**

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

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

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

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

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

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#### **Immediate Enrollment**

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

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

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

### **Transportation**

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

- A. If the homeless student continues to live in the District, transportation shall be provided, or the District shall arrange for the student's transportation, to/from his/her school of origin.
- B. If the homeless student resides in another school district, but the best interest determination is that the student should continue his/her education at the school of origin in the District, the District and the school district in which the student now resides shall agree upon a method to equitably apportion responsibility and costs for transportation to the school of origin. If there is not agreement, the District shall assume responsibility to transport the student from the district of residence to the school of origin in the District. Since Federal law requires that the responsibility and costs to be shared equally, the district of residence shall be invoiced for their share of the cost for transportation.
- C. If the homeless student resides in the District, but the best interest determination is that the student should continue his/her education at the school of origin in another district, the District and the school district in which the student's school of origin is located shall agree upon a method to equitably apportion responsibility and costs for transportation to the school of origin. If there is not agreement, the District shall assume responsibility to transport the student to the school of origin in the other district. Since Federal law requires the responsibility and costs for transportation services to be shared equally, the district in which the school or origin is located shall be invoiced for their share of the cost for transportation.
- D. When the student obtains permanent housing, transportation shall be provided to and from the school of origin until the end of the school year.

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

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

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

### **Dispute Resolution**

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

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

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

- A. a description of the proposed or refused action by the school;
- B. an explanation of why the action is proposed or refused;
- C. a description of other options the school considered and why those options were rejected;
- D. a description of any other relevant factors to the school's decision and information related to the eligibility or best interest determination such as the facts, witnesses, and evidence relied upon and their sources; and
- E. an appropriate timeline to ensure deadlines are not missed.

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

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

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

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

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

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

#### **Homeless Children in Preschool**

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

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

## **Public Notice**

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

### Records

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

All records for homeless students shall be maintained, subject to the protections of the Family Educational Rights and Privacy Act (FERPA) and Policy 8330, and in such a manner so that they are available in a timely fashion and can be transferred promptly to the appropriate parties, as required. Pursuant to the McKinney-Vento Act, information regarding a homeless student's living situation is not considered directory information, is held confidential, and must be provided the same protections as other non-directory personally identifiable information (PII) contained in student education records under FERPA. The District shall incorporate practices to protect student privacy in accordance with the provisions of the Violence Against Women Act (VAWA) and the Family Violence Prevention and Services Act (FVPSA). The District will work to obtain and maintain for each homeless child and youth all necessary records including immunization or other required health records, birth certificates, academic records, guardianship records, and evaluations for special services. The District will make all these records available consistent with the law when a child or youth enrolls in a new school.

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

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

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

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

Revised 2/28/06 Revised 3/19/10 Revised 8/24/21

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F.S. 1003.01 F.S. 1003.21 F.S. 1003.22

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Last Modified by Paul Gibbs on December 19, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title Children and Youth in Foster Care

Code \*\*po5111.03 12.18.2023 jj; PG 12-20-23 (NEW)

Status

# 5111.03 - CHILDREN AND YOUTH IN FOSTER CARE

The School Board recognizes the importance of educational stability for children and youth in foster care. Further, the Board recognizes these children and youth as a vulnerable subgroup of students in need of safeguards and supports in order to facilitate a successful transition through elementary and secondary education and into college and/or careers. To that end, the District will collaborate with the Florida Department of Education (FLDOE), other schools and school districts, and the appropriate child welfare agencies to provide educational stability for children and youth in foster care.

#### **Definitions**

Children who meet the Federal definition of "in foster care" will be provided a free appropriate public education (FAPE) in the same manner as all other students of the District. To that end, students in foster care will not be stigmatized or segregated on the basis of their status. The District shall establish safeguards that protect foster care students from discrimination on the basis of their foster care status or other of the recognized protected classes (Policy 2260). The District shall regularly review and revise its policies, including school discipline policies that may impact students in foster care.

Consistent with the Fostering Connections Act, "foster care" means twenty-four (24) hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in:

- A. foster family homes;
- B. foster homes of relatives;
- C. group homes;
- D. emergency shelters;
- E. residential facilities;
- F. child care institutions; and
- G. preadoptive homes.

A child is in foster care in accordance with this definition regardless of whether the foster care facility is licensed and payments are made by the State, tribal or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is Federal matching of any payments that are made. (45 C.F.R. 1355.20 (a)).

# School Stability

The District shall remove barriers to the enrollment and retention of children and youth in foster care in schools in the District.

Foster care students shall be enrolled immediately, even if they do not have the necessary enrollment documentation such as immunization and health records, proof of residency or guardianship, birth certificate perpendicular to the proof of the proo

The District shall meet the Title I requirements for educational stability for children and youth in foster care, including those awaiting foster care placement. The District shall identify which students are in foster care and shall collaborate with State and tribal child welfare agencies to provide educational stability for these children and youth. District staff will work closely with child welfare agency personnel to develop and implement processes and procedures that include these enrollment safeguards:

- A. a child/youth in foster care shall remain in his/her school of origin, unless it is determined that remaining in the school of origin is not in that child's best interest;
- B. if it is not in the child's best interest to stay in his/her school of origin, the child shall be immediately enrolled in the determined new school even if the child is unable to produce records normally required for enrollment; and
- C. the new (enrolling) school shall immediately contact the school of origin to obtain relevant academic and other records, including the student's Individualized Education Program (IEP) if applicable. (ESEA Section 1111(g)(1)(E)(i)-(iii)).

#### Best Interest Determination

In making the best interest determination, the District will follow the guidelines established by ODE and the State or tribal child welfare agencies. The District shall utilize the prescribed process in conjunction with local child welfare agencies in making best interest determinations. Once a determination is made the District shall provide the decision in writing to all relevant parties, in collaboration with the appropriate child welfare agency. When making decisions regarding educational placement of students with disabilities under IDEA and Section 504, the District shall provide all required special educational and related services and supports provided in the least restrictive placement where the child's unique needs, as described in the student's IEP or Section 504 plan, can be met.

# Dispute Resolution

If there is a dispute regarding whether the educational placement of a child in foster care is in the best interest of that child, the dispute resolution process established by the child welfare agency Brevard Family Partnership shall be used.

The District's representatives shall collaborate fully in this process, considering relevant information regarding academic programming and related service needs of the child, and advocating for what the District believes is in the best interest of the child.

To the extent feasible and appropriate, the child will remain in his/her school of origin while disputes are being resolved in order to minimize disruption and reduce the possible number of moves between schools. (ESEA Section 1111(q)(1)(E)(i)).

Since the child welfare agency Brevard Family Partnership holds ultimate legal responsibility for making the best interest determination for the foster child in their care, if the dispute cannot be resolved the dispute, the child welfare agency Brevard Family Partnership will make the final determination.

All notifications and reports regarding foster care placement, changes in school enrollment, transportation services, and changes in the child's living arrangements shall be provided to the affected parties, in writing, in accordance with the forms, procedures, and requirements of State law, State Board rule, or State/Tribal or local child welfare agencies.

# Local Point of Contact

The Superintendent shall designate and make public a local point of contact who will perform the duties as assigned by the Superintendent. The point of contact shall serve as a liaison to coordinate with child protection agencies, lead the development of a process for making the best determination for a student, facilitate the transfer of records, and oversee the enrollment and regular school attendance of students in foster care.

#### Records

The District shall provide privacy protections for children and families and shall facilitate appropriate data-sharing pertaining to children in foster care between child welfare and educational agencies, in accordance with the Family Educational Rights and Privacy Act (FERPA) and Policy 8330 – Student Records.

Foster care children and their families shall be provided equal access to the educational services for which they are eligible comparable to other students in the District including:

- A. educational services for which the student in foster care meets eligibility criteria including services provided under Title I of the Elementary and Secondary Education Act or similar State and local programs, educational programs for children with disabilities, and educational programs for students with limited English proficiency;
- B. preschool programs;
- C. programs in vocational and technical education;
- D. programs for gifted and talented students;
- E. school nutrition programs; and
- F. before and after-school programs.

# Transportation Services

Consistent with procedures developed by the District and the State/Tribal or local child welfare agency, the District shall provide transportation services for children in foster care who reside within the District.-

Transportation services shall be provided in the most cost-effective manner possible.

When it is determined to be in the best interest of a student in foster care to remain in his/her school of origin and that school of origin is in the attendance zone where the student now lives, transportation shall be provided for the student in foster care even if other students who are not in foster care but who live in the same school attendance area are ineligible for transportation pursuant to Board policy or State law.

When it is determined to be in the best interest of a student in foster care to remain in his/her school of origin and that school of origin is in the District but not in the attendance zone where the student now lives, transportation services shall be arranged, provided, and funded for the duration of the child's placement in foster care.

When it is determined to be in the best interest of a student in foster care to remain in his/her school of origin, which is in another county, and the student now lives in the District, the

District's local point of contact shall meet with the State/tribal or local welfare agency and the local point of contact from the district in which the school of origin is located to determine how transportation services can be provided in the most cost-effective manner possible. A goal of this collaboration shall be that the district in which the student's school of origin is located, the State/tribal or local welfare agency, and the District will share the cost of the student in foster care's transportation Until a plan for providing transportation is developed, the District shall provide the necessary transportation.

When that is determined to be in the best interest of a student in foster care to remain in his/her school of origin, which is in the District, and the student now lives in another county, the District's local point of contact shall meet with the State/tribal or local welfare agency and the local point of contact from the district in which the school of origin is located to determine how transportation services can be provided in the most cost-effective manner possible. A goal of this collaboration shall be that the district in which the student in foster care is residing, the State/tribal or local welfare agency, and the District will share the cost of the student in foster care's transportation to the school of origin in the District.

( ) Until a plan for providing transportation is developed, if necessary, the District shall provide the necessary transportation.

The district designee/contact and transportation department \_\_\_\_\_\_ shall maintain a record of any additional cost incurred by the District to provide transportation for students in foster care to their schools of origin so that reimbursement under Section 475(4)(A) of the Social Security Act, from the State/tribal or local welfare agency, and/or from the other district can be requested and received. Additional costs incurred in providing transportation for a student in foster care to his/her school of origin should reflect the difference between what the District would otherwise spend to transport a student to his/her assigned school and the cost of transporting a student in foster care to his/her school of origin.

Since foster care placements may occur across District, county, or State boundary lines, coordination among multiple agencies may be necessary. The District will work with appropriate State and local agencies to address such placement and transportation issues that arise. The District shall provide or arrange for adequate and appropriate transportation to and from the school of origin while any disputes are being resolved.

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

# Neola 2017

Legal

45 C.F.R. 1355.20 et seq. 42 U.S.C. 675

Last Modified by Ronna Schindler on January 22, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title ENTRANCE REQUIREMENTS

Code \*\*po5112 11/30/23 JK; PG 12-20-23

Status

Adopted May 1, 2002

Last Revised October 26, 2021

# **5112 - ENTRANCE REQUIREMENTS**

## A. Generally.

- 1. The Board shall establish entrance age requirements for students which are consistent with statute and sound educational practice and which ensure the equitable treatment of all eligible children.
- 2. Pursuant to State law, all children who have attained the age of six (6) years or who will have attained the age of six (6) years by February 1st of any school year or who are older than six (6) years of age but who have not attained the age of sixteen (16) years, except as otherwise provided in Florida statute, are required to attend school regularly during the entire school term. Further, all children enrolling in a District school shall meet the immunization requirements set forth in F.S. 1003.22, as well as provide evidence of a physical exam as required by State law.
- 3. In addition, consistent with rules adopted by the State Board of Education, children with disabilities who have attained the age of three (3) years shall be eligible for admission to the District's special education programs and for related services. Children with disabilities younger than three (3) years of age who are deaf or hard of hearing, visually impaired, dual sensory impaired, orthopedically impaired, other health impaired, who have experienced traumatic brain injury, who have autism spectrum disorder, established conditions, or who exhibit developmental delays or intellectual disabilities may be eligible for special programs and may receive services in accordance with rules of the State Board of Education. The identification of established conditions for children birth through two (2) years of age and developmental delays for children birth through five (5) years of age shall be in accordance rules adopted by the State Board of Education.
- 4. Children and youths who are experiencing homelessness and children who are known to the department, as defined in FS 39.0016, must have access to a free public education and must be admitted to school in the school district in which they or their families live.

#### B. Kindergarten.

Children entering kindergarten in the District for the first time must comply with F.S. 1003.21, regarding entry age. A child must be five (5) years old on or before September 1st, in order to meet the Florida age requirement for kindergarten. A child under age six (6) who is enrolled in kindergarten will be considered of compulsory school age.

#### C. First Grade.

1. Children entering first grade in the District for the first time must comply with F.S. 1003.21. Any child who has attained the age of six (6) years on or before September 1st of the school year and who has been enrolled in a public school or who has attained the age of six (6) years on or before September 1st and has satisfactorily completed the requirements for kindergarten in a non-public school, or who otherwise meets the criteria for admission or transfer in a manner similar to that applicable to other grades, shall progress according to the District's Student Progression Plan.

2. Students transferring to first grade from a kindergarten program other than the one offered by the District's school system will need written verification of satisfactory completion of kinder to the best will need written verification of satisfactory completion of kinder to the best will need written verification of satisfactory completion of kinder to the best will need written verification of satisfactory completion of kinder to the best will need written verification of satisfactory completion of kinder to the best will need written verification of satisfactory completion of kinder to the best will need written verification of satisfactory completion of kinder to the best will need written verification of satisfactory completion of kinder to the best will need written verification of satisfactory completion of kinder to the best will need written verification of satisfactory completion of kinder to the best will need written verification of satisfactory completion of kinder to the best will need written verification of kinder to the best will need written verification of kinder to the best will need written verification of kinder to the best will need written verification of kinder to the best will need written and the best will need written and

attended. Students participating in a kindergarten home education program will be placed according to the Student Progression Plan.

#### D. Initial Entry.

- 1. Children entering the District for the first time must comply with F.S. 1003.21 and with the District's Student Progression Plan. Students must have an immunization record on file at the school. Any student who does not have the proper immunization shall be temporarily excluded from attendance until compliance has been documented.
- 2. Each child who is entitled to admittance to kindergarten or is entitled to any other initial entrance into a public school in the District must have a certification of a school-entry health examination performed within one (1) year before enrollment in school. Students transferring into the District from a school within the State of Florida who have a completed physical examination form as part of their school record need not be re-examined. Examinations taken out-of-state may be accepted if performed within one (1) year of entry and include documentation and reported on the official forms of the physician. A student shall have up to thirty (30) school days to present a certification of a school-entry health examination. Children and youths who are experiencing homelessness and children who are known to the Department, as defined in F.S. 39.0016, shall be given a temporary exemption for thirty (30) school days. The school health services plan shall contain provisions to assist students in obtaining the health examinations.
- 3. A child may be exempt from the required physical examination and/or immunization upon written request of the parent/legal guardian of such child stating objection to examination and/or immunization on religious grounds or for medical reasons certified by a competent medical authority.
- 4. Any student and/or his/her parent/legal guardian(s) who enters the District for the first time must disclose the following information at the time of enrollment:
  - a. prior school expulsions\*;
  - b. arrests resulting in a charge\*;
  - c. juvenile justice actions\*; and
  - d. any corresponding referral to mental health services by the school district that the student previously attended.

\*Any student who discloses any of the above-referenced matters is subject to the provisions of the Code of Student Conduct, Policy 5500, and Policy 5610 relating to disciplinary placement and/or assignment of students.

# E. Maximum Age for High School Students

High school students pursuing a standard high school diploma must be able to graduate from high school prior to their 20th birthday. Permission for students to attend high school to pursue a regular high school diploma after their 20th birthday will be made on an individual basis at the Superintendent's or designee's discretion. The provisions of this paragraph shall not apply to students who are classified as exceptional education students.

# F. Maximum Age Limit for Re-Entry to High School

In order to provide reasonable consistency of maturity levels among students in the regular high school program, no one shall be permitted to attend the regular high school program after attaining the age of twenty (20) if he or she has had an interruption in schooling.

In order to protect the safety and welfare of younger students, principals shall have the authority to accept or not accept in the regular high school program a student who has filed a formal declaration of intent to terminate enrollment with the District School Board, in accordance with statute, and is seeking to reenroll in school. This principal's decision shall be based on factors such as age of student, credits earned and discipline history. If the student is not accepted to reenroll in the regular high school, the person shall be afforded the opportunity to pursue a high school diploma through the Adult High School or General Educational Development (GED) programs of the District. The provisions of this paragraph shall not apply to students who are classified as exceptional education students.

# G. Verification of Residence.

Verification of a parent/legal guardian's residence shall be required at the time the child registers in the District. Verification of residence may also be required at any other time at the discretion of the Superintendent or designee. A student whose parent is transferred or is pending transfer to a military installation within the State while on active military duty pursuant to an official military order shall be considered a resident of the District for purposes of enrollment when the order is submitted to the District.

H. Notification of in Loco Parentis.

In cases in which a student is temporarily not residing with his/her parent/legal guardians for 3.5-1239-A-

loco parentis to the student in order for him/her to be admitted or continue in school. This statement shall be notarized and presented to the principal.

Revised 12/14/04 Revised 4/27/10 Revised 9/11/18 Revised 9/10/19 Revised 10/26/21

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Legal <u>F.S. 1003.01</u>

F.S. 1003.05 F.S. 1003.21 F.S. 1003.22 F.S. 1006.07 F.A.C. 6A-1.0985

Last Modified by Paul Gibbs on December 20, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title ASSIGNMENT WITHIN DISTRICT

Code \*\*po5120 12/7/23 MM;PG 12-20-23

Status

Adopted May 1, 2002

Last Revised July 9, 2019

## 5120 - ASSIGNMENT WITHIN DISTRICT

## I. Generally

- A. The Board directs that the assignment of students to schools within this District be consistent with the best interests of students and the best use of the resources of this District.
- B. Acting upon the recommendation of the Superintendent, tThe Board shall determine annually the school attendance areas of the District and shall expect the students within each area to attend the school so designated. The Board shall adhere to the rule-making requirements set forth in Bylaw 0131 and F.S. Chapter 120 when creating or revising school attendance boundaries.
- C. The Superintendent shall periodically review existing attendance areas and recommend to the Board such changes as may be justified by:
  - 1. considerations of safe student transportation and travel;
  - 2. convenience of access to schools;
  - 3. financial and administrative efficiency;
  - 4. the effectiveness of the instructional program;
  - 5. a wholesome and educationally sound balance of student populations.
- D. No assignment to schools or attendance schedules shall discriminate against students on the basis of race, color, national origin, sex (including sexual orientation, transgender status, or gender identity), disability (including HIV, AIDS, or sickle cell trait), pregnancy, marital status, age (except as authorized by law), religion, military status, ancestry, or genetic information which are classes protected by State and/or Federal law (collectively, "protected classes").
- E. The parent of siblings who are assigned to the same grade level and school may request that the school place the siblings in the same classroom or in separate classrooms. This request must be made no later than five (5) days before the first day of school each school year or five (5) days after the first day of attendance of the students if the students are enrolled in school after the school year commences. The school is not required to meet the request if there is factual evidence indicating a specific placement is better for the student than that requested by the parent.
- F. The Superintendent or designee may assign a student to a school other than that designated by the attendance area when such exception is justified by circumstances and is in the best interest of the student.
- G. The principal shall assign students in his/her school to appropriate grades, classes, or groups. This action shall be based on consideration of the needs of the student as well as the administration of the school.
- H. Whenever possible and advisable in the best interests of the students, siblings shall be assigned to the same school.

A. A student may be permitted to attend a school other than the school serving the parents'/legal guardians' residential area by following the procedures established in Policy 5121 - Controlled Open Enrollment.

# III. Junior Reserve Officers' Training Corps

A. A student may also be permitted to attend another public high school in the District if the student wishes to participate in the Junior Reserve Officers; Training Corps (JROTC) and their public high school does not operate a unit of JROTC. In making their determination, the Superintendent must consider:

i. whether the high school the student attends offers a JROTC program;

ii. whether the student meets the JROTC minimum enrollment qualifications; or

iii. whether the student's course schedule allows the student to attend the JROTC program at another public high school.

Revised 4/22/08 Revised 4/28/09 Revised 4/27/10 Revised 6/24/10 Revised 6/14/11 Revised 2/23/16

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Revised 7/9/19

Legal F.S. 1000.05
F.S. 1001.41
F.S. 1002.20
F.S. 1002.31
F.S. 1003.06

Cross References F.S. 1001.51

F.S. 1001.42 F.S. 1001.32

Last Modified by Ronna Schindler on January 22, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title CONTROLLED OPEN ENROLLMENT

Code \*\*po5121 12/7/23 MM; PG 12-20-23

Status

Adopted July 9, 2019

Last Revised March 7, 2023

## 5121 - CONTROLLED OPEN ENROLLMENT

The Board shall permit a program of controlled open enrollment as set forth herein and in accordance with Florida law. "Controlled Open Enrollment" means a public education delivery system that allows school districts to make student school assignments using parents'/legal guardians' indicated preferential educational school choice as a significant factor. The District's controlled open enrollment program is in addition to the educational choice options provided by Policy 2271-Articulation and Access to Florida College System Institutions; Policy 2370-Educational Options; Policy 2370.01-Virtual Instruction; Policy 2421-Career and Technical Education; and Policy 9800-Charter Schools.

## I. Components of the District's Controlled Open Enrollment Program

The District's Controlled Open Enrollment Program:

- A. Adheres to Federal desegregation requirements;
- B. Allows parents/legal guardians to declare school preferences, including placement of siblings within the same school;
- C. Provides a lottery procedure to determine student assignment and establishes an appeals process for hardship cases;
- D. Affords parents of students in multiple session schools preferred access to controlled open enrollment;
- E. Maintains socioeconomic, demographic, and racial balance;
- F. Provides transportation information for parents on the District website pursuant to F.S. 1002.394;
  Transportation to public schools pursuant to F.S. 1002.38, 1002.39, and 1002.394 (the Opportunity Scholarship Program, the John M. McKay Scholarships for Students with Disabilities Program, and the Family Empowerment Scholarship Program)
- G. Maintains existing academic eligibility criteria for public school choice programs pursuant to Florida law;
- H. Identifies schools that have reached capacity, as determined by the District;
- I. Ensures that preferential treatment is provided to individuals as set forth in Florida law;
- J. Maintains a waitlist of students who are denied access due to capacity and provides notification to parents when seats are available; and
- K. Enables a student who, in middle school, completed a career and technical education course of an industry certification included in the CAPE Industry Certification Funding List to continue to sequential program of career and technical education in the same concentration, if a high school in the District offers the program, and,
- L. Accepts students at regular intervals as capacity becomes available throughout the year.

- A. In addition to the public school choice programs available under Florida law and provided in the District pursuant to the policies listed above, a parent/legal guardian of a student under the age of eighteen (18), or an eligible student who lives in the District or in any other school district in the State of Florida who is not subject to current expulsion or suspension, may seek to enroll in a public school in the District that has not reached capacity, subject to the maximum class size pursuant to F.S. 1003.03, and Section 1, Article IX of the Florida Constitution.
- B. In determining the capacity of each district school, the Board shall incorporate the specifications, plans, elements, and commitments contained in the District's educational facilities plan and the long-term work programs required under Florida law.
- C. A District school shall be at "capacity":
  - 1. Once the school has reached ninety-five percent (95%) total capacity as set forth in the Florida Inventory of School Houses (FISH) and/or
  - 2. Once the number of enrolled students in the District school equals or exceeds the number of seats available for each of the grade levels and/or programs offered in the school.
- D. The Superintendent or the Superintendent's designee may "freeze" a school to new incoming Educational Location Option (ELO) requests regardless of the projected student enrollment to total capacity ratio, if the Superintendent or Superintendent's designee, with the input of representatives from Facilities and/or Leading and Learning, determines that this restriction is in the best interest of the District.
- E. "Capacity" as defined herein is subject to program-specific enrollment limitations. Programs with enrollment limitations may include, but are not limited to, self-contained Exceptional Student Education (ESE), career-tech, magnet, International Baccalaureate (IB), Cambridge, and other academic programs that require student-teacher ratios less than the FISH capacity for that space.
- F. The public schools in the District that have reached capacity shall be identified on the District's website.
- G. Capacity information for each school by grade level available seats will be updated and posted on the District's website at least every twelve (12) weeks.
- H. Dependent children of active duty military personnel who otherwise meet the eligibility criteria for special academic programs offered through public schools:
  - 1. shall be given first preference for admission to such programs even if the program is being offered through a public school other than the school to which the student would generally be assigned
  - 2. must be enrolled in such program if the student's parent is transferred to Florida during the school year.
- I. A student whose parent is transferred within Florida after the controlled open enrollment window may enroll in any school within Florida.

# **III. Applications and Preferential Treatment**

- A. Applications to participate in the District's controlled open enrollment program shall be accepted within the published timelines located on the District's website.
- B. Timelines are determined annually and posted on the District's website.
- C. Computer access is available upon request at each District school for parents to complete the application.
- D. Applicants will be required to identify their primary school of choice or specific program within the application.
- E. An applicant's failure to disclose information (e.g., being subject to suspension or expulsion, having a current IEP that is served in a categorical unit, being assigned to a Department of Juvenile Justice program) that would be relevant to the District's determination that the applicant could be served in a program at his/her preferred or alternate schools and therefore would be accepted shall constitute grounds for revocation of approval to enroll under this policy.
- F. After the close of the application period and the determination of capacity at each school, the District shall conduct a lottery as described below and then process the applications according to the random numbers assigned.
- G. Applications are grouped accordingly:
  - 1. Tier I Special Consideration

Applicants included in this tier who reside in the District but are unable to apply during the application window are entitled to preferential treatment in at least one (1) of the following ways:



a. Dependent children of active military personnel whose move resulted from military orders and resides within the District. Official military orders must be submitted to the Patrick Space Force Base military liaison who will complete the requisite forms to verify preferential treatment;

- b. Children who have been relocated due to foster care placement in a different school zone; and/or
- c. Children who move due to court-ordered change in custody or, due to separation or divorce or serious illness or death of a custodial parent/legal quardian.

#### 2. <u>Tier II - Site-Based Employee Preference</u>

District employees working at a school are considered site-based employees of that school and qualify for the site-based employee preference. Capacity restrictions do not apply to site-based employees. Furthermore, children of site-based employees working at a School of Choice (Educational Program Option) must meet the entry requirements, if applicable.

# 3. Tier III - Sibling Preference

Family member(s) of a current student who is residing at the same residence as his/her sibling, who will also begin his/her attendance at the same school during a year in which the current student is attending the school, qualify for sibling preference. Siblings who do not begin their attendance at the school while the current student is attending the school do not qualify for sibling preference.

# 4. Tier IV - Family Preference

A student whose sibling has been offered a seat through the lottery process qualifies for the family preference for the next available seat in the applicable grade level or program pursuant to entry requirements, if applicable.

# 5. Tier V - District Students

Children who reside in the District are entitled to no other preferential treatment.

## 6. <u>Tier VI – Out-of-District Students</u>

Students who reside in another county within the State are not entitled to preferential treatment under State law are known as out-of-district students under F.S. 1002.31, and therefore may not displace a student from within the District.

# **IV. Lottery**

- A. The lottery will be conducted by two (2) or more staff members designated by the Superintendent.
- B. The lottery involves the assignment of a random number to each applicant. Siblings in the same grade level/twins/triplets will be assigned the same number unless otherwise requested.
- C. Separate lotteries will be conducted for applicants in the following order:
  - a. Tier I
  - b. Tier II
  - c. Tier III
  - d. Tier IV
  - e. Tier V
  - f. Tier VI
- D. Applicants will be offered seats as capacity in the school, grade level, or program allows.
- E. Applicants will be notified of the seat offering or waitlist status through the District's application program.
- F. Applicants have fourteen (14) calendar days to accept the seat offered.
- G. Students may only commit to one (1) school or program.
- H. Accepting a seat at more than one (1) school or program will result in forfeiture of all seats accepted.

J. Upon accepting a seat in a school or program, students may then register at that school.

# V. Appeals

- A. Applicants who are not accepted for enrollment may appeal to the Superintendent's Designee within fourteen (14) calendar days from the receipt of the District's notice advising them that their application was denied. If the last day for appeal falls on a day that the District or School Office is not open for business, the deadline shall be extended to the next day that the school office is open for business.
- B. The appeal must be submitted in writing, must be based on a hardship, and must include as much detail as possible regarding the hardship.
- C. Appeals will be considered by an Appeals Team consisting of representatives from various District departments. The Appeals Team decisions are final.
- D. Applicants will be notified in writing via email of the Appeals Team decision.
- E. "Hardship" includes but is not limited to the following:
  - 1. Medical or psychological matters
  - 2. Law enforcement matters
  - 3. Employment needs
  - 4. Any other circumstances demonstrating a hardship

# VI. Students Residing in the District

A. residing in the District will not be displaced by a student from another district seeking enrollment under the District's controlled open enrollment program.

# VII. Completion of Highest Grade Level

- A. A student who enrolls through the District's controlled open enrollment program may remain at his/her current school until the completion of the highest grade at that school.
- B. After completing the highest grade at that school, a student who resides in another school zone and wants to transition to the next level of the academic program in this District, must reapply for enrollment through the controlled open enrollment process.
- C. After completing the highest grade at the school, a student who resides in the District and wants to transition to the next level of the academic program at a school other than the one to which s/he would be assigned in accordance with Policy 5120-Assignment Within the District must reapply for enrollment at his/her preferred school, as well as (an) alternate school(s), through the controlled open enrollment program.

# VIII. Maintaining Appropriate Socioeconomic, Demographic, and Racial Balance

A. Given our diverse society and the importance of preparing students for education, work, citizenship, the Board is committed to providing students with equal educational opportunities, promoting educational diversity in the District, and providing students with the educational benefits of a diverse student body. To that end, should a concern arise regarding socioeconomic, demographic, or racial balance in one or more of the District's schools, the Superintendent shall consult with legal counsel to determine the appropriate steps that should be taken, including, but not limited to, any necessary policy revisions and other actions necessary to comply with Florida and Federal law. The Superintendent shall then make the appropriate recommendations to the Board.

# IX. Transportation X.

## IX. Open Enrollment Revocation

Approval of an Educational Location Option (ELO) or Educational Program Opportunity (EPO) may be revoked for certain reasons: Students and parents are required to complete an acknowledgement of the expectations for participation and enrollment in these schools or programs. Approval may be revoked for the following reasons:

- A. Poor attendance;
- B. Chronic misbehavior or committing an expellable offense;
- C. Lack of academic effort by the student;
- D. Excessive tardiness, early check outs, or late pick-up after school of the studept: BrokevARD-23-1239-A-000509

- E. Falsification of application details;
- F. Falsification or misrepresentation of address or entrance documents.

#### I. X. Transportation

A. Transportation is the responsibility of the parent/legal guardian.

#### II. XI. Interscholastic and Intra-scholastic Extra-curricular Activities

- A. A student who is approved to attend his/her requested school through the District's controlled open enrollment process, and enrolls in the school, is immediately eligible to participate in interscholastic and intra-scholastic extra-curricular activities. However, a student may not participate in a sport if the student participateds in that same sport at another school during that school year, unless the student meets one (1) of the following criteria:
  - 1. Dependent children of active-duty military personnel whose move resulted from military orders;
  - 2. Children who have been relocated due to a foster care placement in a different school zone;
  - 3. Children who move due to a court-ordered change in custody due to separation or divorce, or serious illness or death of a custodial parent/legal guardian; and/or
  - 4. Authorized for good cause as defined by the Florida High School Athletic Association (FHSAA).
- B. A student who believes "good cause" exists to deviate from this portion of the policy must submit a written request to the Superintendent's designee identifying the facts and circumstances that the student believes establishes "good cause." The Superintendent will consider the written request and make a recommendation to the Board during a publicly noticed meeting.

# III. XII. Non-traditional Students and Extra-curricular Activities

A. In accordance with FHSAA, parents/legal guardians of a non-traditional student who wishes to participate in a sport at a school for which the student is not zoned must follow the procedures in this policy and apply through the ELO process within the determined deadlines.

### IV. XIII. Assistance to Transitioning Students from Military Families

Students of military families may be faced with numerous transitions during their school years. The District, in compliance with Florida law, will promote practices that will assist the military families transitioning to Brevard County. Through collaboration, a memorandum of agreement between the District and the local military installation has been developed and implemented to provide special consideration to students for admission under the District's controlled open enrollment processes and who meet applicable eligibility requirements.

# V. XIV. Implementation Flexibility

A. The Board grants to the Superintendent flexibility in the placement of students under this policy due to extenuating circumstances. The Superintendent or designee shall notify the Board in writing of any exceptions to this policy.

# VI. XV. Educational Program Opportunity (EPO)

- A. A student may apply to attend a school other than his/her zoned school of attendance for the purposes of attending an Educational Program Opportunity (EPO) at another school.
- B. Applications for an EPO can be found on the District's website and shall be submitted electronically.
- C. An EPO applicant must be a Florida resident at time of application with documentation of residency.
- D. Should a specific program be offered at a student's zoned school of attendance, s/he would <u>not</u> be eligible to apply to another school for the same program.
- E. The approval of a student to attend a school other than his/her zoned school of attendance for the purposes of attending an EPO is valid for as long as the student participates in said program at the identified school.
- F. An EPO student must return to his/her zoned school of attendance at the end of the semester if s/he no longer participates in the program.

# II. XVI. Educational Location Option (ELO)

A. A student may apply to attend a school other than his/her zoned school of attendance by completing an application requesting an Educational Location Option (ELO).

- B. Applications for an ELO can be found on the District's website and shall be submitted electronically.
- C. An ELO applicant must be a Florida resident at time of application with documentation of residency.

# VIII. XVII. Non-Resident Students

- A. Students who are not residents of Brevard County may attend a school in the District upon compliance with Florida laws governing admission of students to the schools of the State.
- B. A non-resident student may not displace students who reside in the District.

# IX. New Resident to Brevard

- A. Brevard Public Schools Open Enrollment options have published annual application deadlines. Families, who relocate to Brevard, from outside the county/state, are permitted to apply during the Open Enrollment timelines. However, if the relocation occurs beyond the deadlines, families will be permitted to apply for an ELO or EPO provided the following required stipulations are met:
  - 1. Schools/Programs must have capacity to accept new students; in compliance with class size amendment (F.S. 1003.03)
  - 2. Student must NOT be enrolled in a Brevard County traditional school, charter school, home education program, virtual school, or private school
  - 3. Parent/Guardian must provide two (2) recent proofs of residency, one from each tier, with an address from out of county/state AND two (2) proofs of residency from Brevard.

Revised 12/15/20 Revised 6/28/22 Revised 3/7/23

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Legal Section 1, Art. IX, Florida Constitution

F.S. 1002.20

F.S. 1002.31

F.S. 1003.03

F.S. 1003.05

F.S. 1013.35

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Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title WIRELESS COMMUNICATION DEVICES

Code \*\*po5136 12/12/23 CR ;PG 12-20-23

Status

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Last Revised April 11, 2023

## 5136 - WIRELESS COMMUNICATION DEVICES

- 1. For purposes of this policy, "wireless communication device" ("WCD") includes computers, tablets (e.g., iPads and similar devices), electronic readers ("e-readers"; e.g., Kindles and similar devices), cell phones (e.g., mobile/cellular telephones, smartphones (e.g., BlackBerry, iPhone, Android devices, Windows Mobile devices, etc.), smart watches, air buds/ear buds, Bluetooth Audio, wireless headsets, telephone paging devices (e.g., beepers or pagers), and/or other web-enabled devices of any type.
- 2. The Board is aware that WCDs are used by students and parents/legal guardians to communicate with each other. However, the use of WCDs on school grounds must be appropriately regulated to protect students, staff, and the learning environment. This policy sets forth the District's policy with respect to WCDs.
- 3. Pursuant to State law, students shall not operate a motor vehicle owned or leased by the District on or off school property, or personal motor vehicle on District property, while manually typing or entering multiple letters, numbers, symbols, or other characters into a WCD or while sending or reading messages on such a device, for the purpose of non-voice interpersonal communication, including, but not limited to, communication methods known as texting, e-mailing, instant messaging, and snap chatting.
- 4. Students may not use WCDs during instructional time and are prohibited from accessing social media platforms through the use of Internet access provided by the District, except when expressly directed by a teacher solely for educational purposes. Teachers shall designate an area for WCDs to be stored during instructional time.
- 5. While students may possess WCDs in school during non-instructional time, on school property, during after school activities (e.g., extracurricular activities), and at school-related functions, they either must be powered completely off or placed into vibrate/silent mode) and stored out of sight during school hours.
- 6. When authorized and approved by the site principal, students may use WCDs before and after school, during their lunch break, in between classes, during after school activities (e.g., extra-curricular activities), and at school-related functions, as long as they do not create a distraction, disruption, or otherwise interfere with the educational environment. Use of WCDs, except those approved by an administrator, at any other time is prohibited and WCDs must be either powered completely off (or placed into vibrate or silent mode) and stored out of sight.
- 7. Technology including, but not limited to, WCDs, intended and actually used for instructional purposes (e.g., taking notes, recording classroom lectures, writing papers) will be permitted, as approved expressly directed by the classroom teacher by the principal. However, the use of a WCD to engage in non-education-related communications is expressly prohibited.
- 8. Students may not use WCDs on school property or at a school-sponsored activity to access and/or view Internet websites that are otherwise blocked to students at school and shall not download or access prohibited applications using Internet access provided by the District. The use of a WCD for non-educational purposes including but not limited to recording staff and/or students without their permission or knowledge, or recording fights and/or sharing non-academic related content is strictly prohibited.
- 9. Students may use WCDs while riding to and from school on a school bus or other Board-provided vehicles or on a school bus or Board-provided vehicle during school-sponsored activities, at the discretion of the bus driver, classroom teacher, or sponsor/advisor/coach. Distracting behavior that creates an unsafe environment will not be tolerated.
- 10. Also, when directed by the administrator or sponsor, WCDs shall be powered completely off during after school activities (not just placed into vibrate or silent mode) and stored out of sight.
- 11. Under certain circumstances, a student may keep his/her WCD "on" with prior approval from the principal or for health care and/or communication needs that require a WCD, including, but not limited to, heart monitors, diabetes monitors and other WCD assistive technology that are on an Individualized Education Plan (IEP), Section 504 Accommodation Plan, or Health Care Plan.
- 12. Except as authorized by an administrator, or IEP Team, students are prohibited from using WCDs during the school day, including while off-campus on a field trip, to capture, record or transmit the words or sounds (i.e. audio) and/or images (i.e. pictures/video) of any student, staff member, or other person in the school or while attending a school-related activity, without express prior notice and explicit, written consent for the capture, recording, or transmission of such words or images. Using a WCD to capture, record, and/or transmit audio and/or pictures/video of an individual without proper consent is considered an invasion of privacy and is not permitted. Students who violate this provision and/or use a WCD to violate the privacy rights of another person may have their WCD confiscated and held until the end of the school day and/or until a parent/legal guardian picks it up and may be directed to delete the audio and/or picture/video file while the parent/legal guardian is present. If the violation involves potentially illegal activity the confiscated WCD may be turned over to law enforcement. The prohibitions herein also include

using a WCD or any other device to covertly listen-in or make a recording (audio or video) of any meeting or activity in school. This includes placing a WCD or other device with one- or two-way audio and video communication technology (i.e. technology that allows a person to listen to live conversations and sounds taking place in the location where the device is located), within a student's book bag or other property of the student or on the student's person without express written consent from an administrator, IEP Team, or Section 504 Team.

- 13. "Sexting" is prohibited at any time on school property or at school functions. As set forth in State law, "sexting" is the knowing transmission or distribution to another minor by a computer or similar device any photograph or video of any person that depicts nudity and is harmful to minors. Sexting also includes possessing a photo of any person that was transmitted or distributed by another minor that depicts nudity. Such conduct not only is potentially dangerous for the involved students but can lead to unwanted exposure of the messages and images to others, and could result in criminal violations related to the transmission or possession of child pornography. Such conduct will be subject to discipline and possible confiscation of the WCD.
- 14. WCDs, including, but not limited to, those with cameras, may not be activated or utilized at any time in any school situation where a reasonable expectation of personal privacy exists. These locations and circumstances include, but are not limited to, classrooms, gymnasiums, locker rooms, shower facilities, rest/bathrooms, and any other areas where students or others may change clothes or be in any stage or degree of disrobing or changing clothes. The Superintendent and the principal are authorized to determine other specific locations and situations where use of a WCD is absolutely prohibited.
- 15. Students shall have no expectation of confidentiality with respect to their use of WCDs on school premises/property.
- 16. Students may not use a WCD in any way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed, or intimidated. See Policy 5517.01 Bullying and Harassment. In particular, students are prohibited from using WCDs to: (a) transmit material that is threatening, obscene, disruptive, or sexually explicit or that can be construed as harassment or disparagement of others based upon their race, national origin, sex (including sexual orientation/transgender identity), disability, age, religion, ancestry, or political beliefs; and (b) engage in "sexting" i.e., sending, receiving, sharing, viewing or possessing pictures, text messages, e-mails, or other materials of a sexual nature in electronic or any other form. As set forth in State law, "sexting" is the knowing transmission or distribution to another minor by a computer or similar device any photograph or video of any person that depicts nudity and is harmful to minors. Sexting also includes possessing a photo of any person that was transmitted or distributed by another minor that depicts nudity and is harmful to minors. Violation of these prohibitions shall result in disciplinary action. Furthermore, such actions will be reported to local law enforcement and child services as required by law.
- 17. Students are also prohibited from using a WCD to capture, record, and/or transmit test information or any other information in a manner constituting fraud, theft, cheating, or academic dishonesty. Likewise, students are prohibited from using WCDs to receive such information.
- 18. Possession of a WCD by a student at school during school hours and/or during extra-curricular activities is a privilege that may be forfeited by any student who fails to abide by the terms of this policy, or otherwise abuses this privilege.
- 19. Violations of this policy may result in disciplinary action and/or confiscation of the WCD. The building principal may also refer the matter to law enforcement or child services if the violation involves an illegal activity (e.g., child pornography, sexting). Discipline will be imposed on an escalating scale ranging from a warning to an expulsion based on the number of previous violations and/or the nature of or circumstances surrounding a particular violation. If the WCD is confiscated, it will be released/returned to the student's parent/legal guardian after the student complies with any other disciplinary consequences that are imposed, unless the violation involves potentially illegal activity in which case the WCD may be turned over to law enforcement. In particularly egregious offenses involving the invasion of another person's privacy, the Board reserves the right to confiscate the WCD and hold it until the end of the school year. A confiscated device will be marked in a removable manner with the student's name and held in a secure location in the building's central office until it is retrieved by the parent/legal guardian or turned over to law enforcement. School officials will not search or otherwise tamper with WCDs in District custody unless they reasonably suspect that the search is required to discover evidence of a violation of the law or other school rule. Any search will be conducted in accordance with Policy 5771 Search and Seizure. If multiple offenses occur, a student may lose his/her privilege to bring a WCD to school for a designated length of time or on a permanent basis.
- 20. A person who discovers a student using a WCD in violation of this policy is required to report the violation to the building principal.
- 21. Students are personally and solely responsible for the care and security of their WCDs. The Board assumes no responsibility for theft, loss, or damage to, or misuse or unauthorized use of WCDs brought onto its property, or the unauthorized use of such devices.
- 22. Parents/Legal guardians are advised that the best way to get in touch with their child during the school day is by calling the school office.
- 23. Students may use the school's phone to contact their parents/legal guardians during the school day.

Revised 12/12/17 Revised 4/11/23

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F.S. 316.305

F.S. 847.0141

F.S. 1003.02

F.S. 1003.32

F.S. 1006.07



# Legal References

F.S. 316.305

F.S. 847.0141

F.S. 1003.02

F.S. 1003.32

F.S. 1006.07

Legal F.S. 316.305

F.S. 847.0141

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Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title ATTENDANCE

Code \*\*po5200 12/12/23 CR; PG 12-20-23

Status

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# 5200 - ATTENDANCE

## A. General

- 1. The educational program offered by this District is predicated upon the presence of the student and requires continuity of instruction and classroom participation. Attendance shall be required of all students enrolled in the schools during the days and hours that the school is in session. School attendance is the responsibility of parents/legal guardians and students. Absences shall be reported to the school by the parent/legal guardian or adult student as soon as practicable.
- 2. In accordance with statute, the Superintendent or designee shall require, from the parent/legal guardian of each student of compulsory school age or from an adult student who has been absent from school or from class for any reason, a statement of the cause for such absence. The Board reserves the right to verify such statements and to investigate the cause of each single absence.
- 3. In addition, educators shall have the responsibility of encouraging regular attendance of students, maintaining accurate attendance records, and following reporting procedures prescribed by the Superintendent or designee. Schools will record absent and tardy students in the automated student attendance recordkeeping system.
- B. Provision shall be made for promoting school attendance through adjustment of personal problems, education of parents, and enforcement of the compulsory attendance laws and related child-welfare legislation. Accordingly:
  - 1. absences must be reported to the school by the parent or adult student as soon as practicable;
    - a. Failure to report and explain the absence(s) shall result in unexcused absence(s). The final authority for determining acceptability of the reason for the absence(s) shall rest with the principal.
  - 2. upon each unexcused absence, or absence for which the reason is unknown, the principal or designee shall contact the student's parent to determine the reason for the absence;
  - teachers shall record absentees each period of the school day and report absences, excused and unexcused, as required by the school;
  - 4. insofar as possible, parents should be contacted each time their child has an unexcused absence, or an absence for which the reason is unknown, to prevent the development of patterns of nonattendance;
  - 5. when a student has at least five (5) unexcused absences or absences for which the reasons are unknown, within a calendar month, or ten (10) unexcused absences, or absences for which the reasons are unknown, within a ninety (90) calendar day period, the teacher shall report to the Principal or designee that the child may be exhibiting a pattern of nonattendance. Unless there is clear evidence that the absences are not a pattern of nonattendance, the principal or designee will refer to the case to the school's child study team to determine if early patterns of truancy are developing. If the child study team finds that a pattern of nonattendance is developing, a meeting with the parent must be scheduled to identify potential remedies. If the problem is not resolved, the child study team will implement

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interventions set forth in, and act in accordance with, the requirements in F.S. 1003.26.

- a. If a parent refuses to participate in the remedial strategies determined by the child study team because s/he believes that the strategies are unnecessary or inappropriate, the parent may appeal to the Principal or designee.
- b. If the Principal's or designee's Board's final determination is that the strategies of the child study team are appropriate, and the parent still refuses to participate or cooperate, the superintendent or designee may seek criminal prosecution for noncompliance with compulsory school attendance.
- C. If the parent of a child who has been identified as exhibiting a pattern of nonattendance enrolls the child in a home education program pursuant to F.S. Chapter 1002, the superintendent or designee shall provide the parent a copy of F.S. 1002.41 and the accountability requirements set forth in F.S. 1003.26. The superintendent or designee shall also refer the parent to a home education review committee composed of the District contact for home education programs and at least two (2) home educators selected by the parent from a District list of all home educators who have conducted a home education program for at least three (3) years and who have indicated a willingness to serve on the committee. The home education review committee shall review the portfolio of the student, as defined by F.S. 1002.41, every thirty (30) days during the district's regular school terms until the committee is satisfied that the home education program is in compliance with F.S. 1002.41(1) (d). The first portfolio review must occur within the first thirty (30) calendar days of the establishment of the program. The follow provisions shall also occur if the committee does not determine that the home education program is in compliance with F.S. 1002.41(1)(d):
  - 1. If the parent fails to provide a portfolio to the committee, the committee shall notify the superintendent or designee.
  - 2. The superintendent or designee shall then terminate the home education program and require the parent to enroll the child in an attendance option that meets the definition of "regular school attendance" under F.S. 1003.01(13)(a), (b), (c), or (e) within three (3) days.
  - 3. Upon termination of a home education program pursuant to this subparagraph, the parent shall not be eligible to reenroll the child in a home education program for 180 calendar days.
  - 4. Failure of a parent to enroll the child in an attendance option as required by this subparagraph after termination of the home education program pursuant to this subparagraph shall constitute noncompliance with the compulsory attendance requirements of F.S. 1003.21 and may result in criminal prosecution under F.S. 1003.27(2).
  - 5. Nothing contained herein shall restrict the ability of the Superintendent or designee to review the portfolio pursuant to F.S. 1002.41(1)(e).
- D. If a student subject to compulsory school attendance will not comply with attempts to enforce school attendance, the parent or the superintendent or designee shall refer the case to the case staffing committee pursuant to F.S. 984.12 and the Superintendent or designee may file a truancy petition pursuant to the procedures in F.S. 984.151.
- E. Under the direction of the Superintendent, their designee shall give written notice that requires enrollment or attendance within three (3) days after the date of notice, in person or by return-receipt mail, to the parent when no valid reason is found for a student's non-enrollment in school.
  - 1. If the notice and requirement are ignored, the superintendent's designee shall report the case to the superintendent, who may refer the case to the child study team at the school the student would be assigned according to attendance area policies or to the case staffing committee, established pursuant to F.S. 984.12.
  - 2. The child study team shall diligently facilitate intervention services and shall report the case back to the superintendent only when all reasonable efforts to resolve the non-enrollment behavior are exhausted.
  - 3. If the parent still refuses to cooperate or enroll the child in school, the superintendent or designee shall take such steps as are necessary to bring criminal prosecution against the parent. Subsequently, the superintendent or designee shall give written notice in person or by return-receipt mail to the parent that criminal prosecution is being sought for nonattendance. The superintendent or designee may file a truancy petition, as defined in F.S. 984.03, following the procedures outlined in F.S. 984.151.
- F. Each school should also establish procedures to ensure good attendance consistent with this policy.

# G. Excused Absences

- 1. The Board considers the following factors to be reasonable excuses for time missed at school:
- AMERICAN a. Illness with medical documentation.

  OVERSICE. Court appearance of the student.

- c. Medical appointment of the student (see Policy 5751).
- d. Pregnancy related issues.
- e. Approved school activity.
- f. Insurmountable conditions. Insurmountable conditions are extreme weather conditions, communicable disease outbreaks, and local conditions determined by the School District which, after taking into account the material circumstances, would render impracticable a student's attendance at school. (F.A.C. 6A-1.09513)
- g. Other absences with prior approval of the principal or designee.
- h. Attendance at a center under Children and Families Services supervision.
- i. Significant community events with prior permission of the principal or designee.
- j. Religious instruction or religious holiday.
- k. Death in the immediate family.
- Appointments for a therapy service provided by a licensed health care practitioner or behavior analyst certified
  pursuant to Florida law for the treatment of autism spectrum disorder including, but not limited to, applied
  behavioral analysis, speech therapy, and occupational therapy.
- m. Chronic and extended illness.
- H. Kindergarten students must be in attendance for a minimum of 162 days, as a criteria for progression to first grade. The principal or designee may in consultation with the teacher, deny promotion based on this criteria.

## I. Make-Up for Absences

- 1. For excused absences, the student shall have a reasonable amount of time, up to ten (10) school days, to complete make-up work. Principals or designee may grant extensions to the make-up time limit for extenuating circumstances.
- 2. For unexcused absences, each principal or designee shall establish site-specific procedures that encourage both regular attendance and high academic achievement and shall review and modify these procedures from time-to-time as required to maintain and improve their effectiveness.

# J. Tardies

1. Each school shall establish a tardy policy to ensure prompt arrival to school and class. Chronic tardies to school and/or class may result in referral to the appropriate administrator or designee.

# K. Discipline

- 1. No student will be suspended for unexcused tardiness, lateness, absence, or truancy but the student may be assigned to detention or placed in existing alternative programs.
- 2. Any student who fails to attend any regularly scheduled class and has no excuse for absence should be referred to the appropriate administrator. Disciplinary action should include notification to parents or guardians.
- 3. A student's grade in any course is based on his/her performance in the instructional setting and shall not be reduced for reasons of conduct. If a student violates the attendance or other rules of the school, s/he should be disciplined appropriately for the misconduct, but his/her grades should be based upon what the student can demonstrate s/he has learned.
- 4. The Superintendent or designee shall develop administrative procedures that:
  - a. provide the student and his/her parents the opportunity to challenge the attendance record prior to notification and that such notification complies with applicable Board rules;
  - b. require a school session that is in conformity with the rules of the State Board;
  - c. govern the keeping of attendance records in accordance with the rules of the State Board;
  - d. identify the habitual truant, investigate the cause(s) of his/her behavior, and consider modification of his/her educational program to meet particular needs and interests;
  - e. require that students whose absence has been excused have an personal receive credit for the work, if completed;

f. require that any student who, due to a specifically identifiable physical or mental impairment, exceeds or may exceed the District's limit on excused absence is referred to the school-based Individual Problem Solving Team (IPST) to consider an evaluation for eligibility either under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973 or other appropriate accommodation or the completion of a chronic health condition form.

# L. Habitual Truant

1. Whenever any student has a total of fifteen (15) unexcused absences from school within ninety (90) calendar days, with or without the knowledge or consent of the parent, s/he will be considered habitually truant. The Board authorizes the Superintendent or designee to inform the student and his/her parents of the record of excessive absences as well as the district's intent to notify the Department of Highway Safety and Motor Vehicles, if appropriate. The Superintendent or designee is authorized to file a truancy petition under F.S. 984.151 if a student has accrued at least five (5) unexcused absences, or absences for which the reasons are unknown, within a calendar month or ten (10) unexcused absences, or absences for which the reasons are unknown within a ninety (90) calendar day period or has had more than fifteen (15) unexcused absences in a ninety (90) calendar day period.

# M. Driver's License

1. Pursuant to F.S. 322.091, each public school principal or \designee shall report to the Department of Highway Safety and Motor Vehicles (DHSMV) the legal name, birth date, sex, and social security number of any minor under its jurisdiction who accumulates fifteen (15) unexcused absences in a period of ninety (90) calendar days. The legislation further provides that those minors who thus fail to satisfy attendance requirements will be ineligible for the driving privilege.

## N. Absence of Student for Work

1. Students may not be given excused absences to remain out of school for the purpose of working, unless the job is an integral part of the student's instructional program.

# O. Open Enrollment Revocation

- 1. Revocation of an Educational Location Option (ELO) or Educational Program Opportunity (EPO) may occur for the following reasons:
- 2. Poor attendance
- 3. Inappropriate behavior
- 4. Unacceptable grades due to lack of academic effort by the student
- 5. Excessive tardies or late pick-up after school of the student
- 6. Falsification of address or entrance documents

Revised 12/10/02 Revised 7/22/14 Revised 9/11/18 Revised 12/13/22

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Legal F.S. 984.151

F.S. 1002.20

F.S. 1003.02

F.S. 1003.21

F.S. 1003.23

F.S. 1003.24

F.S. 1003.26

F.S. 1003.27





F.A.C. 6A-1.09512, Equivalent Minimum School Term for Compulsory Attendance Purposes



F.A.C. 6A-1.09513, Parents' Responsibility for School Attendance F.A.C. 6A-1.09514, Excused Absences for Religious Instruction or Holiday

Last Modified by Paul Gibbs on December 20, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title HEALTH SERVICES

Code \*po5310 12/21/23 CR

Status

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Last Revised September 24, 2019

# 5310 - **HEALTH SERVICES**

- A. The District may provide or request parents/legal guardians to provide:
  - 1. general physical examinations for athletics, including electrocardiogram (ECG) screening;
  - 2. dental examinations;
  - 3. tests for communicable disease;
  - 4. vision and/or audiometric screening;
  - 5. scoliosis tests.
- B. If the School District chooses to provide nonemergency physical exams or screenings, the Board shall directly notify parents/legal guardians of students, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when any non-emergency, invasive physical examination or screening is scheduled or expected to be scheduled for students if examination or screening is: (1) required as a condition of attendance; (2) administered by the school and scheduled by the school in advance; and (3) not necessary to protect the immediate health and safety of a specific student, or other students.
- C. The Board does not perform any invasive physical examinations. The term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body. Hearing, vision, scoliosis, and body mass index screenings are not considered invasive physical examinations, and parents/legal guardians will be given the option at registration to "opt-outin" of any screening.
- D. The Superintendent shall develop and update as needed administrative procedures to implement this policy.

Revised 3/25/03

Revised 2/28/06

Revised 7/22/14

Revised 9/24/19

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Legal <u>F.S. 381.0056</u>

20 U.S.C. 1232(h)







Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title IMMUNIZATION AND HEALTH EXAMINATION

Code \*\*po5320 12/12/23 CR; PG 12-20-23

Status

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Last Revised September 11, 2018

## 5320 - IMMUNIZATION AND HEALTH EXAMINATION

In order to safeguard the school community from the spread of certain communicable diseases, students are required to undergo a health examination and to be immunized against such diseases, as follows.

#### A. Health Examination

1. Each child who is entitled to admittance to kindergarten, or is entitled to any other initial entrance into a public school in the District, must have a certification of a school-entry health examination performed within one (1) year before enrollment in school. A student shall have up to thirty (30) school days to present a certification of a school-entry health examination. Children and youths who are experiencing homelessness and children who are known to the department, as defined in F.S. 39.0016, shall be given a temporary exemption for thirty (30) school days. The school health services plan shall contain provisions to assist students in obtaining the health examinations. However, a child shall be exempted from the requirement of a health examination upon written request of the parent/legal guardian of the child stating objections to the examination on religious grounds.

# B. Immunization

- 1. Prior to admittance to or attendance in a public school in the District, grades kindergarten through 12, or any other initial entrance into a Florida public school, each child shall present or have on file with the immunization registryschool a certification of immunization for the prevention of those communicable diseases for which immunization is required by the Department of Health, and shall be screened for scoliosis at the proper age. Any child who is excluded from participation in the immunization registry pursuant to F.S. 381.003(1)(e)2 must present or have on file with the school such certification of immunization. Certification of immunization shall be made on forms approved and provided by the Department of Health or be on file with the immunization registry and shall become a part of each student's permanent record, to be transferred when the student transfers, is promoted, or changes schools. The transfer of such immunization certification shall be accomplished using the Florida Automated System for Transferring Education Records and shall be deemed to satisfy the requirements of this paragraph.
- 2. Immunizations shall be required for poliomyelitis, diphtheria, rubeola, rubella, pertussis, mumps, varicella (chicken pox), tetanus, and other communicable diseases as determined by rules of the Department of Health.
- 3. The manner and frequency of administration of the immunization or testing shall conform to recognized standards of medical practice. Immunizations required by this policy are available at no cost from the county health department.

4.

- 5. The provisions of this policy shall not apply if:
  - 1. the parent/legal guardian of the child objects in writing that the administration of immunizing agents conflicts with his/her religious tenets or practices;
  - 2. a physician licensed under the provisions of F.S. Chapter 458 or Chapter 459 certifies in writing, on a form approved and provided by the Department of Health, that the child should be permanently exempt from the required immunization for medical reasons stated in writing, based upon valid clinical reasoning or evidence, demonstrating the need for the permanent exemption;
  - 3. a physician licensed under the provisions of F.S. Chapter 458, Chapter 459, or Chapter 460 certifies in writing, on a form approved and provided by the Department of Health, that the child has received as many immunizations as are medically indicated at the time and is in the process of completing necessary immunizations;
  - 4. the Department of Health determines that, according to recognized standards of medical practice, any required immunization is unnecessary or hazardous; or
- 5. the principal issues a temporary exemption, for up to thirty (30) school days, to permit a student who transfers from another district or school system to attend class until his/her records can be obtained. Children and youths who are experiencing homelessness and children who are known to the department, as defined in F.S. 39.0016, shall be given a temporary exemption for thirty (30) school days.
  - 6. The school nurse is responsible for follow-up of each such student until proper documentation or immunizations are obtained the exemption for thirty (30) days may be issued for a student who enters a juvenile justice program to permit the student to attend class until his/fier records can

be obtained or until the immunizations can be obtained. An authorized juvenile justice official is responsible for follow-up of each student who enters a juvenile justice program until proper documentation or immunizations are obtained.

7.

8. No person licensed by this State as a physician or nurse shall be liable for any injury caused by his/her action or failure to act in the administration of a vaccine or other immunizing agent pursuant to the provisions of this policy if the person acts as a reasonably prudent person with similar professional training would have acted under the same or similar circumstances.

9

10. No member of the Board or any of its employees shall be liable for any injury caused by the administration of a vaccine to any student who is required to be so immunized or for a failure to diagnose scoliosis pursuant to the provisions of this policy.

11.

12. The parents/legal guardians of any child admitted to or in attendance at a public school, grades prekindergarten through 12, are responsible for assuring that the child is in compliance with the provisions of this policy.

13.

14. Each public school, including public kindergarten, shall provide to the county health department director or administrator annual reports of compliance with the provisions of this policy. Reports shall be completed on forms provided by the Department of Health for each kindergarten and other grade as specified, and the reports shall include the status of children who were admitted at the beginning of the school year.

15.

16. The presence of any of the communicable diseases for which immunization is required by the Department of Health in a public school shall permit the county health department director or administrator or the State Health Officer to declare a communicable disease emergency. The declaration of such emergency shall mandate that all students in attendance in the school who are not in compliance with the provisions of this policy be identified by the Board, and the school health and immunization records of such children shall be made available to the county health department director or administrator. Those children identified as not being immunized against the disease for which the emergency has been declared shall be temporarily excluded from school until such time as is specified by the county health department director or administrator.

17.

18. Any child otherwise entitled to admittance to kindergarten or any other initial entrance into a Florida public or private school who is not in compliance with the requirements of this policy shall be denied admittance until such requirements are satisfied.

19.

20. The provisions of this policy do not apply to those persons admitted to or attending adult education classes unless the adult students are under twenty-one (21) years of age.

21.

22. Any immunization program conducted by the District requires prior approval of the Board and can only extend to those immunizations provided for by statute and Board policy.

Revised 9/11/18

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Legal References

F.S. 1003.22

F.A.C. 64D-3.046, Immunization Requirements: Public and Nonpublic Schools, Grades Preschool, Kindergarten Through 12, and Adult Education Classes

Legal F.S. 1003.22

F.A.C. 64D-3.046

Last Modified by Christopher Reed on January 8, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title USE OF MEDICATIONS

Code \*po5330 1/8/24 CR

Status

Adopted May 1, 2002

Last Revised September 10, 2019

# 5330 - USE OF MEDICATIONS

- I. The Board shall not be responsible for the diagnosis and treatment of student illness. The administration of prescribed medication and/or medically-prescribed treatments to a student during school hours will be permitted only when failure to do so would jeopardize the health of the student, the student would not be able to attend school if the medication or treatment were not made available during school hours, or if the child is disabled and requires medication to benefit from his/her educational program.
- II. For purposes of this policy For purposes of this policy, "medication" shall include all medicines including those prescribed by a physician and any nonprescribed (over-the-counter) drugs, preparations, and/or remedies. "Treatment" refers both to the manner in which a medication is administered and to health-care procedures which require special training, such as catheterization., the following definitions apply:
  - A. "Medication" shall include all medicines including those prescribed by a physician and any nonprescribed (over the counter) drugs, preparations, and/or remedies.
  - B. "Treatment" refers both to the manner in which a medication is administered and to health care procedures which require special training, such as catheterization.
  - C. A "duly licensed practitioner" refers to a licensed physician M.D., D.O. (Doctor of Osteopathy), or a licensed Podiatric physician; a licensed ARNP, Advanced Registered Nurse Practitioner; or a licensed dentist.
  - D. "Psychotropic medication" means a prescription medication that is used for the treatment of mental disorders and includes, without limitation, anti-hypnotics, antipsychotics, antidepressants, anxiety agents, sedatives, psychomotor stimulants, and mood stabilizers.

#### A. Approval and Use

- 1. Before any prescribed medication or treatment may be administered to any student during school hours, the Board shall require as follows:
  - 1. a. athe written prescription from the child's physician accompanied by the written authorization of the parent/legal guardian; and.
  - 2. <u>b. a written statement from the parent which grants to the principal permission to assist in the administration of such medication and which explains the necessity for the medication to be provided during the school day, including an occasion when the student is away from school property on official school business.</u>
  - 3. c. Before any nonprescribed medication or treatment may be administered, the board shall require the prior written consent of the parent/legal guardian along with a waiver of any liability of the District for the administration of the medication. These documents shall be kept on file in the school clinic, and made available to the persons designated by this policy as authorized to administer medication or treatment. A parent/legal guardian may administer medication or treatment. The child's physician and the parent/legal guardian must also authorize in writing any self-medication by the student. Before any nonprescribed medication or treatment may be administered, the board shall require the prior written consent of the parent/legal guardian along with a waiver of any liability of the District for the administration of the medication. Medication shall not be carried on a student's person in the school except as approved by the principal. Furthermore, Ano student is allowed to provide or sell any type of over-the-counter or prescribed medication to another student. Violations of this rule will be considered violations of Policy 5530 Drug Prevention and Policy 5500 Student Conduct.
  - 4. d. Only medication in its original container; labeled with the date, if a prescription; the student's name, exact dosage, time, and/or other special circumstances under which the medication is to be administered will be accepted.

#### B. Storage

- 1. The principal will designate person(s) to be responsible for accepting, counting, and administering the medication. The designated person(s) will complete a medication log for each student when medication is administered. Medication will be counted and stored properly in the original container under lock and key in a location designated by the principal. Proper disposal of unused medication shall be the responsibility of the principal.
- 2. With written consent from the healthcare provider and parent, a student with diabetes shall be allowed to carry and self-administer medication, supplies, and equipment based on the student's diabetes medical management plan.
- C. Administration of Medication

- I. For all types of medication, except those identified below, the principal or appropriately trained designee shall assist the student in the administration of the medication. Parents may administer medication or treatment.
- II. The Board shall permit the administration by a licensed nurse of any medication requiring intravenous or intramuscular injection or the insertion of a device into the body when both the medication and the procedure are prescribed by a physician and the staff member has completed any necessary training.
- III. Nonmedical assistive personnel shall be allowed to perform health-related services upon successful completion of child-specific training by a registered nurse or advanced practice registered nurse licensed under F.S. Chapter 464, a physician licensed pursuant to F.S. Chapters 458 or 459, or a physician assistant licensed pursuant to F.S. Chapters 458 or 459. All procedures shall be monitored periodically by a nurse, advanced practice registered nurse, physician assistant, or physician, including, but not limited to:
  - 1. intermittent clean catheterization.
  - 2. gastrostomy tube feeding.
  - 3. monitoring blood glucose.
  - 4. administering emergency injectable medication.
- IV. For all other invasive medical services not listed in this subsection, a registered nurse or advanced practice registered nurse licensed under F.S Chapter 464, a physician licensed pursuant to F.S. Chapters 458 or 459, or a physician assistant licensed pursuant to F.S. Chapters 458 or 459 shall determine if nonmedical District personnel shall be allowed to perform such service.
- V. Students who may require administration of an emergency medication may have such medication, identified as aforenoted, stored under lock and key in the clinic/school office and administered in accordance with this policy.
- VI. In-service programs directed by the school principal, designee, and the District's Public Health Nurse(s) will be conducted for those authorized to administer medication.
- VII. Misuse or abuse of any medically necessary emergency medications or devices that may cause a threat to the safety of others or cause a disruption while on school property or in attendance at a school function may result in suspension, expulsion, and/or referral to the proper law enforcement agencies, in accordance with Policy 5500 Student Conduct.
- VIII. A public school teacher and School District personnel may share school-based observations of a student's academic, functional, and behavioral performance with the student's parent/legal guardian and offer program options and other assistance that is available to the parent/legal guardian and the student based on the observations. A public school teacher and School District personnel may not, however, compel or attempt to compel any specific actions by the parent/legal guardian or require that a student take psychotropic medication. Any medical decision made to address a student's needs is a matter between the student, the student's parent/legal guardian, and a competent health care professional chosen by the parent/legal guardian.
  - IX. The School District and its employees are not liable for damages as a result of any injury arising from a student's selfadministration of prescribed medications or supplements and/or the use of medical devices associated with these medications.

# D. Assignment of Certain Staff at Schools with Enrolled Students with Diabetes

Each school in the District that has a student enrolled with diabetes shall have a licensed nurse or trained school personnel (i.e., unlicensed assistive personnel) assigned to the school. These individuals must be appropriately trained to provide the necessary diabetes care throughout the school day and during school-sponsored activities

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# E. Medical Marijuana

- 1. For purposes of this section of this policy, the following definitions and provisions shall apply:
  - 1. "Student" means an individual enrolled in a District public school, Pre-K, K through Grade 12, who is subject to compulsory school attendance, as well as students with disabilities who are eighteen (18) through twenty-one (21) years of age.
  - 2. "Qualified patient" means a student who holds a valid qualified patient identification card, designating the student as a "qualified patient", issued by the State of Florida for the use of medical marijuana and for whom the administration of medical marijuana cannot be accomplished outside of school hours. For the purpose of this policy, "qualified patient" applies only to students and does not apply to employees.
  - 3. "Registered caregiver" means the qualified patient's registered caregiver that is identified by his/her medical marijuana use registry identification card issued by the State of Florida. Any registered caregiver seeking access to school or district property for purposes of the policy must comply with the Board's policy and/or procedures concerning visitors to schools and all other applicable policies. The District's health nurses and/or other administrative staff and employees are not permitted to handle, administer, or store medical marijuana.
- Designated location" means a location identified in writing by the school administration in its sole discretion. The location of administration of a permissible form of medical marijuana to a qualified patient by the registered caregiver may not create risk of disruption to the educational environment or exposure to other students.

- 5. "Qualified physician" means an individual who holds an active, unrestricted license as an allopathic physician under F.S. Chapter 458 or as an osteopathic physician under F.S. Chapter 459 and is in compliance with the physician education requirements set forth in F.S. 381.986(3).
- 6. "Permissible forms of medical marijuana" means non-smokable products such as oils, tinctures, edible products, or lotions that can be administered and fully ingested or absorbed in a short period of time.
- 7. "Marijuana" means all parts of any plant of the genus cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin, including low-THC cannabis, which are dispensed from a medical marijuana treatment center for medical use by a qualified student/patient.
- 8. "Prohibited forms of medical marijuana/cannabinoid products" means smokable vapors, patches, and any other forms of administration that provide continuous delivery of medical marijuana to a qualified patient while at school shall not be permissible.
- 9. In light of an amendment to the Florida Constitution, including but not limited to F.S. 1006.062, the Board will permit the administration of permissible forms of medical marijuana to qualified patients when administration cannot be reasonably accomplished outside of school hours and on property owned or operated by the Board and will not present a disruption to school operations.
- 10. If the Federal government indicates that the District's Federal funds are jeopardized by this policy, the Board declares that this policy shall be suspended immediately and that the administration of any form of medical marijuana to qualified patients on property owned or operated by the Board shall not be permitted. The District shall post a notice of such policy suspension and prohibition in a conspicuous place on its website.
- 11. Administration of medical marijuana products by a registered caregiver to a qualified patient shall be in accordance with this policy and its administrative procedures.
- 12. Medical marijuana shall not be administered to a qualified patient while aboard a school bus.
- 13. This policy conveys no right to any student or to the student's parent/legal guardian, a registered caregiver, or other caregiver to demand access to any general or particular location on school or District property, a school bus, or at a school-sponsored event to administer medical marijuana.
- 2. The Superintendent shall prepare administrative procedures to ensure the proper implementation of this policy.

Revised 1/17/06

Revised 4/26/11

Revised 7/22/14

Revised 9/10/19

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Legal References

F.S. 1006.062

F.A.C. 6A-6.0253

Legal <u>F.S. 1006.062</u>

Last Modified by Christopher Reed on January 8, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title ADMINISTRATION OF EPINEPHRINE BY TRAINED SCHOOL PERSONNEL

Code \*po5330.03 1/8/24 CR

Status

# 5330.03 - ADMINISTRATION OF EPINEPHRINE BY TRAINED SCHOOL PERSONNEL

A. The School Board authorizes the Superintendent to adopt a protocol developed by a licensed physician for the administration of epinephrine by school personnel who are trained to recognize an anaphylactic reaction and to administer an epinephrine autoinjection.

B. Pursuant to State law, educational training programs for school personnel must be conducted by a nationally recognized organization experienced in training laypersons in emergency health treatment or by an entity or individual approved by the Department of Health. The Principal shall arrange for staff who may administer an epinephrine auto-injector.

- C. The curriculum for this training must include at a minimum:
  - A. 1. recognition of the symptoms of systemic reactions to food, insect stings, and other allergens; and
  - B. 2. the proper administration of an epinephrine auto-injector.
- D. School principals may request and be granted permission by the Superintendent to purchase from a wholesale distributor, as defined in F.S. 499.003 and identified by the District's Director of Purchasing, and maintain in a locked, secure location on school premises a supply of epinephrine auto-injects for use if a student is having an anaphylactic reaction.

E. The supply of epinephrine auto-injectors may be provided to and used by a student authorized to self-administer epinephrine by auto-injector under F.S. 1000.20(3)(i)(1) or trained school personnel.

- F. The Board and its employees and agents, including the physician who provides the standing protocol for school epinephrine auto-injectors, are not liable for any injury arising from the use of an epinephrine auto-injector administered by trained school personnel who follow the adopted protocol and whose professional opinion is that the student is having an anaphylactic reaction:
  - A. unless the trained school personnel's action is willful and wanton;
  - B. notwithstanding that the parents or guardians of the student to whom the epinephrine is administered have not been provided notice or have not signed a statement acknowledging that the District is not liable; and
  - C. regardless of whether authorization has been given by the student's parents or guardians or by the student's physician, physician's assistant, or advanced registered nurse practitioner.

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F.S. 381.88

F.S. 1002.20

Last Modified by Christopher Reed on January 8, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title Care Of Students With Chronic Health Conditions

Code \*PO5335 12/14/23 CR REV 1/18/24 RS

Status

# 5335 - CARE OF STUDENTS WITH CHRONIC HEALTH CONDITIONS

Students with chronic health conditions will be provided with a free appropriate public education. If their impairment does not require specially designed instruction for them to benefit educationally, they will be eligible for accommodations/modifications/interventions of the regular classroom, curriculum, or activity (i.e. the school setting) so that they have the same access to an education as students without disabilities. Such accommodations/modifications/interventions may be provided pursuant to a Section 504 Plan (Form 2260.01 F13).

Chronic health conditions, for the purposes of this policy, shall include:

- A. "peanut" and other food allergies;
- B. allergies;
- C. asthma;
- D. diabetes;

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- E. epilepsy and seizure disorders (see AP 5335 which relates to the care of students with epilepsy or seizure disorders); and
- F. a disease of long duration showing little change of slow of progression.

All information regarding student identification, health care management, and emergency care shall be safeguarded as personally identifiable information in accordance with Policy 8330 and Policy 8350.

The District will coordinate school health practices for management of a chronic health condition and shall provide for:

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B. development of individual health care action plans; c. coordination of health care management activities by school staff; D. communication among school staff who interact with children with chronic health conditions; E. development of protocols to prevent exposure/episodic reactions; F. awareness and training of school staff regarding School Board policy on acute and routine management of chronic health conditions, information on signs and treatment of chronic health conditions, medication and administration, and emergency protocols for dealing with reactions in "unusual" situations such as field trips; School health practices shall provide students with chronic health conditions the opportunity for: A. full participation in physical activities when students are well; B. modified activities as indicated by the student's health care action plan, 504 plan, or Individualized Education Plan (IEP); C. access to preventative medications before activity (as prescribed by their medical providers) and immediate access to emergency medications during activity; D. communication regarding student health status between parents, physicians, teachers (particularly physical education teachers), and coaches; Healthcare management activities shall include: A. procedures to obtain, maintain, and utilize written health care action plans, signed by the child's parents and physician, for each student with a chronic health condition; B. a standard emergency protocol in place for students experiencing a distress reaction if they do not have a written health care action plan on site; C. established communication strategies for students to use to tell an adult they may be having a healthrelated problem;

D. procedures for students to have immediate access to medications in accordance with Policy 5330 and AP 5330 that allow students to self-care and self-administer medications, inhalers, and Epi-pens, as prescribed

by a medical professional and approved by parents/guardians;

A. identification of individuals with chronic health conditions;

- E. prevention strategies to avoid causal elements;
- F. case management for students with frequent school absences, school health office visits, emergency department visits, or hospitalizations due to chronic health conditions;
- G. management and care of the student's chronic health condition in the classroom, in any area of the school or school grounds, or at any school-related activity or event;

Staff will be trained about chronic health conditions and their control **at least annually** in each school in which there is a student with a chronic health condition.

Designated staff who have responsibility for specialized services such as giving inhaler treatments or injections, or conducting glucose and/or ketone tests shall be provided training specific to the procedures, **at least annually**, by a licensed health professional.

The **school nurse** shall maintain a copy of the training program and the records of training completed by school employees.

# **Emergency Allergy Treatment Educational Training Programs**

Educational training programs in the District pertaining to emergency allergy treatment required by State law must be conducted by a nationally recognized organization experienced in training laypersons in emergency health treatment or an entity or individual approved by the Department of Health. The curriculum must include at a minimum:

- A. recognition of the symptoms of systemic reactions to food, insect stings, and other allergens; and
- B. the proper administration of an epinephrine auto-injector.

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Legal References

F.S. 381.88

Last Modified by Ronna Schindler on January 18, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title STUDENT SUICIDE AWARENESS AND PREVENTION

Code \*\*po5350 12.15.2023 JJ; PG 12-20-23

Status

Adopted May 1, 2002

Last Revised February 23, 2021

Prior Revised Dates 2/11/20

# 5350 - STUDENT SUICIDE AWARENESS AND PREVENTION

- A. The Board recognizes that suicide is one of the leading causes of death for Florida's youth. To address the prevalence of student suicide, the Board believes there must be a partnership between families, the community, and schools. It is critical for families and community members to communicate with and provide information to school staff to identify students at risk of suicide.
- B. The Board will provide access to suicide prevention educational resources to all instructional and administrative staff as part of the District's professional development program. The suicide educational resources will include material approved by the Statewide Office for Suicide Prevention, the Florida Suicide Prevention Coalition, and the Coordinated School Health Resource Center. The District's student services staff will be responsible for providing suicide prevention, awareness, and screening training and resources through the Suicide Risk Inquiry (SRI) process.
- C. Further, all school personnel should be alert to signs of suicide ideation, and to students who threaten or attempt suicide. Suicide ideation is the process of fantasizing, planning, practicing, and motivating oneself to commit suicide. Any such signs or the report of such signs from another student or staff member should be taken with the utmost seriousness. Families, community members, and students are encouraged to report any such signs to the school principal or designee.
- D. All schools and local mobile response teams shall use the same suicide screening instrument approved by the FLDOE pursuant to F.S. 1012.583
- E. Professional development training in youth suicide prevention shall be provided for student services staff, administration, and instructional staff. Further, additional professional development training regarding risk assessment and intervention shall be provided to mental health employees, counselors, psychologists, social workers, and school nurses.
- F. The training for student services staff, administration, and instructional staff shall develop an understanding of how to provide an intervention procedure which includes the following:
  - Step 1 Stabilization
  - Step 2 Assessment of the Risk
  - Step 3 Use of Appropriate Risk Procedure Administration of an FDOE approved Suicide Risk Inquiry must be administered by appropriate personnel (certified or licensed school psychologist, school social worker, or school counselor) prior to a Baker Act.
  - Step 4 Communication with Appropriate Parties

Step 5 - Follow-up

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

#### G. Youth Suicide Awareness and Prevention.

### 1. Training

A two (2.0) hour continuing education program of youth suicide awareness and prevention training, utilizing training materials approved by the Florida Department of Education (FLDOE) shall be available at all District schools. Instruction about how to identify appropriate mental health services and how to refer youth and their families to those services shall be included in the program.

#### 2. Suicide Prevention Certified Schools

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

- a. All instructional personnel at the school have participated in the two (2.0) hours of youth suicide awareness and prevention training, and
- b. The school has at least two (2) school-based staff members certified or otherwise deemed competent in the use of a suicide screening instrument approved by the FLDOE and has a policy to use such suicide risk screening instruments to evaluate a student's risk before requesting the initiation of an involuntary examination due to concerns about the student's suicide risk.
- 3. The Superintendent or designee will notify the FLDOE of all schools qualifying for this designation. Each school shall also post on its own website whether it is a Suicide Prevention Certified School and the District shall post on its website a list of the Suicide Prevention Certified Schools in the District.
- H. Pursuant to State law, participating in the training does not create any new duty of care or the basis of liability.
- I. Any student identification cards issued to students in grades 6 through 12 will include the telephone numbers for national or Statewide crisis and suicide hotlines and text lines.

Revised 7/22/14 Revised 9/11/18

Revised 2/11/20 Revised 2/23/21

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Legal F.S. 14.2019

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

Cross References ap5350 - STUDENT SUICIDE PREVENTION PROCEDURES

Last Modified by Paul Gibbs on December 20, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title PROMOTION, PLACEMENT, AND RETENTION

Code \*\*po5410.01 12/15/2023 MC; PG 12-20-23

Status

Adopted May 1, 2002

Last Revised December 10, 2018

## 5410.01 - PROMOTION, PLACEMENT, AND RETENTION

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

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

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

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

It will be the policy of the Board that each student be moved forward in a continuous pattern of achievement and growth.

#### **Progress Monitoring Plans and Remediation**

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

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

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

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

C. an individualized progress monitoring plan.

Any student who exhibits a substantial deficiency in reading, based upon locally determined or statewide assessments conducted in kindergarten or grade 1, grade 2, or grade 3, or through teacher observations, must be given intensive reading instruction immediately following the identification of the reading deficiency. The student's reading proficiency must be monitored and the FL-BREVARD-23-1239-A-000534

intensive instruction must continue until the student demonstrates grade level proficiency in a manner determined by the District, which may include achieving a level 3 on the Statewide, standardized English language arts assessment.

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

A. the student's specific, identified reading or mathematics skill deficiency;

B. goals and benchmarks for student growth in reading or mathematics;

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

Substantial Reading Deficiencies/Characteristics of Dyslexia and Parental Notification

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

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

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

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

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

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

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

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E. strategies, including multisensory strategies and programming, through a read-at-home plan for parents to use in helping their child succeed in reading;

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

- F. that the Statewide, standardized English Language Arts assessment is not the sole determiner of promotion and that additional evaluations, portfolio reviews, and assessments are available to the child to assist parents and the School District in knowing when a child is reading at or above grade level and ready for grade promotion;
- G. the District's specific criteria and policies for a portfolio as provided in F.S. 1008.22 and the evidence required for a student to demonstrate mastery of Florida's academic standards for English language arts;
- H. Schools must begin collecting evidence for a portfolio when a student in grade 3 is identified as being at risk of retention of upon the request of the parent, whichever occurs first.

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

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

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

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

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

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

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

Substantial Mathematics Deficiencies/Characteristics of Dyscalculia and Parental Notification

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

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

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

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

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

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

- B. a description of the current services that are provided to the child;
- C. a description of the proposed intensive interventions and supports that will be provided to the child that are designed to remediate the identified area of mathematics deficiency;
- D. strategies, including multisensory strategies and programming, through a home-based plan the parent can use in helping their child succeed in mathematics. The home-based plan must provide access to the resources identified in F.S. 1008.25.

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

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

# Middle Grades Promotion

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

- A. Three (3) middle grades or higher courses in English Language Arts (ELA).
- B. Three (3) middle grades or higher courses in mathematics.
- 1. Each school that includes middle grades must offer at least one (1) high school level mathematics course for which students may earn high school credit. Successful completion of a high school level Algebra I or Geometry course is not contingent upon the student's performance on the Statewide standardized end-of-course (EOC) assessment.
- 2. To earn high school credit for Algebra I, a middle grades student must take the Statewide standardized Algebra I EOC assessment and pass the course, and in addition, a student's performance on the Algebra I EOC assessment constitutes thirty percent (30%) of the student's final course grade.
- 3. To earn high school credit for a Geometry course, a middle grades student must take the Statewide standardized Geometry EOC assessment, which constitutes thirty percent (30%) of the student's final course grade, and earn a passing grade in the course.
- C. Three (3) middle grades or higher courses in social studies.
- 1. One (1) of these courses must be at least a one (1) semester civics education course that includes the roles and responsibilities of Federal, State, and local governments; the structures and functions of the legislative, executive, and judicial branches of government; and the meaning and significance of historic documents, such as the Articles of Confederation, the Declaration of Independence, and the Constitution of the United States.
- 2. Each student's performance on the Statewide standardized EOC assessment in civics education required under F.S. 1008.22 constitutes thirty percent (30%) of the student's final course grade.
- 3. A middle grade student who transfers in from out of country, out of state, a private school, or a home education program after the beginning of the second term of grade 8 is not required to meet the civics education requirement for promotion from the middle grades if the student's transcript documents passage of three (3) courses in social studies or two (2) year-long courses in social studies that include coverage of civics education.
- D. Three (3) middle grades or higher courses in science.
- 1.Successful completion of a high school level Biology I course is not contingent upon the student's performance on the Statewide, standardized EOC assessment required under F.S. 1008.22.
- 2. However, to earn high school credit for a Biology I course, a middle grade student must take the Statewide, standardized Biology I EOC assessment, which constitutes thirty percent (30%) of the student's final course grade, and earn a passing grade in the course.
- E.One course in career and education planning to be completed in grades 6, 7, or 8, which may be taught by any member of the instructional staff. The course much be Internet-based, customizable to each student, and include research-based assessments to assist students in determining educational and career options and goals. The course must result in a completed personalized academic and career plan for the student, which must push the provide student have career planning and work-based learning coordination system. The course must teach each student how to access and update

the plan and encourage the student to access and update the plan at least annually as the student progresses through middle school and high school. The personalized academic and career plan must emphasize the importance of entrepreneurship and employability skills; and must include information from the Department of Economic Opportunity's economic security report under F.S. 445.07 and other State career planning resources.

- 1. The required personalized academic and career plan must inform students of high school graduation requirements, including a detailed explanation of the following:
- a. requirements for earning a high school diploma designation under F.S. 1003.4285 and the career and technical education pathway to earn a standard high school diploma under F.S. 1003.4282;
- b. requirements for each scholarship in the Florida Bright Futures Scholarship Program;
- c. State university and Florida college system institution admission requirements;
- d. available opportunities to earn college credit in high school, including Advanced Placement courses;
- e. the International Baccalaureate Program;
- f. the Advanced International Certificate of Education Program;
- g. dual enrollment, including career dual enrollment;
- h. work-based learning opportunities, including internships and pre-apprenticeship and apprenticeship programs; and,
- i. career education courses, including career-themed courses, and course sequences that lead to industry certification pursuant to F.S. 1003.492 or 1008.44.
- 2. The course may be implemented as a stand-alone course or integrated into another course or courses.

Notification of Acceleration, Academic, and Career Planning Options

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

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

Retention of Students with Disabilities

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

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

- A. that his/her child has been identified as having a substantial deficiency in reading;
- B. a description of the current services that are provided to the child;

- C. a description of the proposed supplemental instructional services and supports that will be provided to the child that are designed to remediate the identified area of reading deficiency;
- D. that if the child's reading deficiency is not remediated by the end of grade 3, the child must be retained unless s/he is exempt from mandatory retention for good cause;
- E. strategies for parents/legal guardians to use in helping their child succeed in reading proficiency;
- F. that Statewide, standardized English language arts assessment is not the sole determiner of promotion and that additional evaluations, portfolio reviews, and assessments are available to the child to assist parents/legal guardians and the School District in knowing when a child is reading at or above grade level and ready for grade promotion;
- G. the District's specific criteria and policies for a portfolio as provide in F.S. 1008.22 and the evidence required for a student to demonstrate mastery of Florida's academic standards for English language arts;
  - A parent/legal guardian of a student in grade 3 who is identified anytime during the year as being at risk of retention may request that the school immediately begin collecting evidence for a portfolio.
- H. the District's specific criteria and policies for midyear promotion. Midyear promotion means the promotion of a retained student at any time during the year of retention once the student has demonstrated an ability to read at grade level.

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

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

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

Revised 11/16/10 Revised 7/22/14 Revised 12/10/18

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F.S. 1008.25

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F.A.C. 6A-1.094221

F.A.C. 6A-1.094222

F.A.C. 6A-1.094223

Last Modified by Paul Gibbs on December 20, 2023



If the Superintendent or designee approves the applicant's District GED Underage Waiver Application, the applicant must complete the GED registration process (www.ged.com). Failure of the applicant to complete the GED registration process will delay the District's ability to submit required documentation to the Florida Department of Education.

# III. Appeal of Denial of Underage Waiver Application

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

Revised 7/22/14 Revised 12/10/18 Revised 1/6/24

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F.S. 1003.435

Last Modified by James Rehmer on January 12, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title STUDENT CONDUCT

Code \*po5500 1/18/24 CR

Status

Adopted May 1, 2002

Last Revised May 9, 2023

#### 5500 - STUDENT CONDUCT

#### A. Generally.

- 1. Respect for law and for those persons in authority shall be expected of all students. This includes conformity to school rules as well as general provisions of law affecting students. Respect for the rights of others, consideration of their privileges, and cooperative citizenship shall also be expected of all members of the school community.
- 2. Respect for real and personal property; pride in one's work; achievement within the range of one's ability; and exemplary personal standards of courtesy, decency, and honesty shall be maintained in the schools of this District.
- 3. The Principal shall notify all school personnel as to their obligation to report to the Principal those acts and/or crimes which pose a threat to school safety. School personnel must also properly document the disposition of any such incident.
- 4. Students may be subject to discipline for violation of the Code of Student Conduct even if that conduct occurs on property not owned or operated by the Board but that is connected to activities or incidents that have occurred on property owned or controlled by the Board, or conduct that, regardless of where it occurs, is directed at a Board official or employee, or the property of such official or employee.
- 5. The principal shall notify all school personnel as to their obligation to report to the Principal those acts and/or crimes which pose a threat to school safety. School personnel must also properly document the disposition of any such incident. responsibilities regarding incident reporting, that acts which pose a threat to school safety and crimes are properly reported to the principal, and that the disposition of the incident is properly documented.
- 6. Student conduct shall be governed by the rules and provisions set forth in the Code of Student Conduct which is reviewed and adopted by the Board whenever revisions are proposed in accordance with F.S. Chapter 120 and are incorporated into this policy by reference.

#### B. Zero Tolerance.

- 1. The Board has zero tolerance for conduct that poses a threat to school safety. Zero tolerance policies must apply equally to all students and are not intended to be rigorously applied to petty acts of misconduct. This policy minimizes the victimization of students, staff, and volunteers and requires that necessary steps be taken to protect the victim of any violent act from any further victimization. In a disciplinary action, there is a rebuttable presumption that the actions of a student who intervened, using only the amount of force necessary, to stop a violent act against a student, staff, or volunteer were necessary to restore or maintain the safety of others. This zero tolerance policy does not require the reporting of petty acts of misconduct to a law enforcement agency.
  - a. The following are typically considered petty acts of misconduct, although each act must be examined on a case by case basis to determine whether or not the act constitutes a threat to school safety requiring consultation with law enforcement:
    - 1. Disorderly conduct
    - 2. Disrupting a school function
    - 3. Simple assault or battery
    - 4. Verbal abuse or use of profanity
    - 5 Cheating
    - 6. Theft of less than \$300, trespassing, and vandalism of less than \$1,000
- 7. Possession or use of tobacco

  2. Florida law requires that students found to have committed one (1) of the following offenses:

- a. bringing a firearm or weapon, as defined in F.S. Chapter 790, to school, to any school function, or onto any school-sponsored transportation, or possessing a firearm at school; or
- b. making a threat or false report, as defined by F.S. 790.162 and 790.163, involving school, school personnel, or school personnel's property, school transportation, or a school-sponsored activity;

shall be expelled, with or without continuing educational services, from the student's regular school for a period of not less than one (1) full calendar year, and that the student shall be referred to mental health services identified by the District and to the criminal justice or juvenile justice system.

The Superintendent may consider the one (1) full calendar year expulsion requirement on a case-by-case basis and request that the Board modify the requirement by assigning a student to a disciplinary program or second chance school. The Superintendent's request for modification must be in writing and may only be presented to the Board for consideration if the student and/or the student's parent(s) agree in writing to accept the Superintendent's recommendation. The Board may approve the request if it is determined to be in the best interest of the student and the school system. If a student committing either of the offenses enumerated above is a student who has a disability, the Board shall comply with applicable State Board of Education rules for discipline of such students.

The District shall enter into agreements with local law enforcement specifying procedures so that acts that pose a threat to school safety, whether committed by a student or adult, are reported to a law enforcement agency having jurisdiction. The school's threat management team will consult with law enforcement when a student exhibits a pattern of behavior, based on previous acts or the severity of an act that would pose a threat to school safety.

## C. School Environmental Safety Incident Reporting

The following acts are required to be reported to the Department of Education as school environmental safety incidents (SESIR):

- 1. <u>1. Alcohol (Level IV)</u>: possession, sale, purchase, distribution or use of alcoholic beverages. "Use" means the person is caught in the act of using, admits to use or is discovered to have used in the course of an investigation.
- 2. <u>2. Aggravated battery (Level I)</u> A battery where the attacker intentionally or knowingly causes more serious injury, such as: great bodily harm, permanent disability, or permanent disfigurement; uses a deadly weapon; or, where the attacker knew or should have known the victim was pregnant.
- 3. <u>Arson (Level I)</u> To intentionally damage or cause to be damaged, by fire or explosion, any dwelling, structure, or conveyance, whether occupied or not, or its contents.
- 4. <u>Burglary (Level II)</u> Unlawful entry into or remaining in a dwelling, structure, or conveyance with the intent to commit a crime therein.
- 5. <u>Bullying (Level IV)</u> Systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. Bullying includes instances of cyberbullying, as defined in Policy 5517.01, *Bullying and Harassment*. Bullying may include, but is not limited to, repetitive instances of teasing, social exclusion, threats, intimidation, stalking, physical violence, theft, harassment, public or private humiliation, or destruction of property.
- 6. <u>Criminal Mischief (Felony Vandalism \$1,000 threshold)</u> Willfully and maliciously injuring or damaging by any means any real or personal property belonging to another, including, but not limited to, the placement of graffiti or other acts of vandalism on the property.
- 7. <u>Disruption on Campus Major (Level III)</u> Disruptive behavior that poses a serious threat to the learning environment, health, safety, or welfare of others, such as, but not limited to, bomb threats, inciting a riot, or initiating a false fire alarm.
- 8. <u>Drug Sale or Distribution (Level II)</u> The manufacture, cultivation, purchase, sale, or distribution of any drug, narcotic, controlled substance, or substance represented to be a drug, narcotic, or controlled substance.
- 9. <u>Drug Use or Possession (Level III)</u> The use or possession of any drug, narcotic, controlled substance, or any substance when used for chemical intoxication. "Use" means the person is caught in the act of using, admits to use, or is discovered to have used in the course of an investigation.
- 10. <u>Fighting (Level III)</u> When two (2) or more persons mutually participate in use of force or physical violence that requires either physical intervention or results in injury requiring first aid or medical attention.
- 11. <u>Grand Theft (\$750 threshold) (Level III)</u> The unauthorized taking of the property of another person or organization, including motor vehicles, valued at \$750 or more, without threat, violence, or bodily harm.
- 12. Harassment (Level IV) -- as defined in Policy 5517, Anti-Harassment.
- 13. Hazing (Level III) as defined in Policy 5516, Student Hazing.
- 14. Homicide (Level I) The unjustified killing of one human being by another.
- 15. <u>Kidnapping (Level I)</u> Forcibly, secretly, or by threat, confining, abducting, or imprisoning another person against his/her will and without lawful authority.
- 16. Other Major Incidents (Level III) Any serious, harmful incident resulting in the need for law enforcement consultation not previously classified. This includes any drug or weapon found unattended and not linked to any individual.
- 17. Robbery (Level II) -- The taking or attempted taking of money or other property from the person or custody of another with the intent to permanently or temporarily deprive the person or owner of the money or other property under the confrontational circumstances of force, or threat of force or violence, and/or by putting the victim in fear.
- 18. Sexual Assault (Level II), Sexual Battery (Rape) (Level I), Sexual Harassment (Level III), and Sexual Offenses (Other) (Level III) -- as defined in Policy 2266, Nondiscrimination on the Basis of Sex in Educational Programs and Activities.
- 19. Simple Battery (Level II) -- An actual and intentional touching or striking of another person against his/her will, or the intentional causing of bodily harm to an individual.
- 20. <u>Threat/Intimidation (Level III)</u> An incident where there was no physical contact between the offender and victim, but the victim reasonably believed that physical harm could have occurred based on verbal or nonverbal communication by the offender. This includes nonverbal threats and verbal threats of physical harm which are made in person, electronically, or through any other means.
- 21. Tobacco (Level IV) -- as defined in Policy 5512, Smoking and Tobacco-Free Environment.
- 22. <u>Trespassing (Level III)</u> To enter or remain on school grounds, school transportation, or at a school-sponsored event, without authorization or invitation and with no lawful purpose for entry, if involves a student currently under suspension or expulsion, an offender who was previously issued an official trespass warning by school officials, or an offender who was arrested for trespass.
- 23. Weapons Possession (Level II) as defined in Policy 5772, Weapons.

committed by a student or adult, are reported to a law enforcement agency having jurisdiction.

#### D. Acts that Pose a Threat to School Safety

- C. Petty acts of misconduct which are not a threat to school safety do not require consultation with law enforcement.
  - 1. Those aActs that pose a threat to school safety include, but are not limited to:
    - a. possession of firearms or other weapons;
    - b. placing, discharging, or throwing an explosive item or noxious substance or making threats to do so;
    - c. arson:
    - d. felony assault; and
    - e. threats of unsafe and potentially harmful, dangerous, or criminal activities.

# E. Petty Acts of Misconduct

Petty acts of misconduct that are not a threat to school safety do not require consultation with law enforcement.

The following are typically considered petty acts of misconduct, although each act must be examined on a case-by-case basis to determine whether or not the act constitutes a threat to school safety requiring consultation with law enforcement:

- 1. disorderly conduct
- 2.
- 3. disrupting a school function (Level IV)
- 4.
- 5. simple assault or battery
- 6.
- 7. verbal abuse or use of profanity
- 8.
- 9. cheating
- 10.
- 11. theft of less than \$300, trespassing (incidents without prior official warning, not resulting in arrest, or not involving students under suspension or expulsion), and vandalism of less than \$1,000

## . Assault or Battery on School District Personnel

- 1. Notwithstanding any other provision of Board policy, pursuant to F.S. 1006.13(5), any student found to have committed an act of assault or aggravated assault, or battery or aggravated battery, on any elected official of the School District, teacher, administrator, or other School District personnel, shall be recommended for expulsion or placement in an alternative school setting, as appropriate.
  - 2. The minimum period of this expulsion or placement in an alternative school setting shall be one (1) full calendar year and the student may be referred to the criminal justice or juvenile justice system.
  - 3. Further, upon being charged with such offense, the student shall be removed from the classroom immediately and placed in an alternative school setting pending disposition.

## G. Code of Student Conduct.

The Code of Student Conduct that is adopted annually shall provide for review of a decision to suspend or expel a student pursuant to this policy and the Code, consistent with F.S. 1006.07. The Code of Student Conduct shall also include the following:

- 1. Criteria for recommending to law enforcement that a student who commits a criminal offense be allowed to participate in a civil citation or similar prearrest diversion program as an alternative to expulsion or arrest.
- 2. All civil citation or similar prearrest diversion programs must comply with F.S. 985.12.
- 3. Criteria for assigning a student who commits a petty act of misconduct to a school-based intervention program. If a student's assignment is based on a noncriminal offense, the student's participation in a school-based intervention program may not be entered into the Juvenile Justice Information System Prevention Web.
- 4. Violations of Policy 5511 *Dress and Grooming* are subject to the following disciplinary actions:
  - a. For the first offense, a student shall be given a verbal warning and the Principal shall call the student's parent or guardian.
  - b. For a second offense, the student is ineligible to participate in any extra-curricular activities for a period of time not to exceed five (5) days and the Principal shall meet with the student's parent or quardian.
  - c. For a third or subsequent offense, a student shall receive an in-school suspension pursuant to F.S. 1003.01(5) for a period not to exceed three (3) days, the student is ineligible to participate in any extra-curricular activity for a period not to exceed thirty (30) days, and the Principal shall call the student's parent or guardian and send the parent or guardian a written letter regarding the student's in-school suspension and ineligibility to participate in extra-curricular activities.

Furthermore, if the Board receives notice from the Department of Juvenile Justice, as required by law, that a student enrolled in the District has been adjudicated guilty of or delinquent for, or is found to have committed, regardless of whether adjudication is withheld, or pleads guilty or noto contendere to, a felony violation as set forth in F.S. 1006.13(6)(a), the Board shall, pursuant to State law and the adopted cooperative agreement with the Department of Juvenile Justice, require that any no contact order entered by a court be enforced and that all of the necessary steps be taken to protect the victim of the offense or a sibling of the victim.

Students may be subject to discipline for violation of the Code of Conduct/Student Discipline Code even if that conduct occurs on property not owned or controlled by the Board but that is connected to activities or incidents that have occurred on property owned or controlled by the Board, or conduct that, regardless of where it occurs, is directed at a Board official or employee, or the property of such official or employee

Student conduct shall be governed by the rules and provisions set forth in the Code of Conduct which is reviewed and adopted annually in accordance with F.S. Chapter 120 ( ) and is incorporated in the policy by reference.

The Code of Student Conduct shall contain provisions for the assignment of violent or disruptive students to an alternative educational program and/or referral of such students to mental health services identified by the District.

#### C. Department of Juvenile Justice (DJJ) Notification.

If the Board receives notice from the Department of Juvenile Justice, as required by law, that a student enrolled in the District has been adjudicated guilty of or delinquent for, or is found to have committed, regardless of whether adjudication is withheld, or pleads guilty or noto contendere to, a felony violation as set forth in F.S. 1006.13(6)(a), the Board shall, pursuant to state law and to the adopted cooperative agreement with the Department of Juvenile Justice, require that any no contact order entered by a court be enforced and that all of the necessary steps be taken to protect the victim of the offense, or a sibling of the victim.

## H. School Environment Safety Incident Reporting (SESIR).

- 1. The School Environment Safety Incident Reporting (SESIR) system collects data on incidents of crime, violence, and disruptive behaviors that occur on school grounds, on school transportation, and at off-campus, school-sponsored events, during any 24-hour period, 365 days per year.
- 2. All schools and facilities must report incidents relating to school safety and discipline, including SESIR events, in an accurate and timely manner in accordance with F.S. 1006.07(9).

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Revised 7/15/03

Revised 1/18/05

Revised 5/31/06

Technical Change 1/17/08

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Legal References

F.S. 1006.07

F.S. 1006.13

F.S. 1012.584

Legal F.S. 1006.07

F.S. 1006.13 F.S. 1012.584

Last Modified by Christopher Reed on January 8, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title SMOKING AND TOBACCO-FREE ENVIRONMENT

Code \*po5512 12/14/23 CR

Status

## 5512 - SMOKING AND TOBACCO-FREE ENVIRONMENTTOBACCO-FREE ENVIRONMENT

The School Board recognizes that the use of tobacco products, including electronic smoking devices, is a health, safety, and environmental hazard for students, staff, visitors, and school facilities. The Board is committed to providing students, staff, and visitors with a smoking and tobacco-free environment on school property and at off-campus, school-sponsored events.

The Board also believes accepting gifts or materials from the tobacco industry will send an inconsistent message to students, staff, and visitors.

The Board recognizes that adult staff and visitors serve as role models for students. The Board embraces its obligation to promote positive role models in schools and to provide an environment for learning and working that is safe, healthy, and free from unwanted smoke or aerosol and other tobacco use for the students, staff, and visitors.

## **Definitions**

- A. "Any time" means twenty-four (24) hours a day, seven days a week, 365 days a year.
- B. "Electronic smoking device" means any product containing or delivering nicotine, or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. "Electronic smoking device" includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vape pens, or similar devices. "Electronic smoking device" also includes any component part of a product, whether or not marketed or sold separately, including but not limited to e-liquids, e-juice, cartridges, or pods.
- C. "School property" means all facilities and property, including land, whether owned, rented, or leased by the Board, and also includes all vehicles owned, leased, rented, contracted for, or controlled by the Board and used for transporting students, staff, or visitors.
- D. "Tobacco product" means any product containing, made, or derived from tobacco or that contains nicotine, whether synthetic or natural, that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including but not limited to: cigarettes; electronic smoking devices; cigars; little cigars; and other kinds and forms of tobacco.

# General Statement of Policy

- A. Students are prohibited from possessing, using, consuming, displaying, or selling any tobacco products, tobacco-related devices, electronic smoking devices, imitation tobacco products, or lighters at any time on school property or at any off-campus, school-sponsored event.
- B. Administrators, staff, or visitors are prohibited from using, consuming, displaying, activating, or selling any tobacco products, tobacco-related devices, imitation tobacco products, or lighters at any time on school property or at any off-campus, school-sponsored events. This includes products or paraphernalia displaying tobacco-industry hands 23-1239-A-000545

- C. It is a violation of this policy for administrators or staff to solicit or accept any contributions, gifts, money, curricula, or materials from the tobacco industry. This includes, but is not limited to, donations, monies for sponsorship, advertising, alleged educational materials, promotions, loans, scholarships, or support for equipment, uniforms, and sports and/or training facilities. It is also a violation of this policy to participate in any type of service funded by the tobacco industry while in the scope of employment for the Board.
- D. It is a violation of this policy for any person to promote tobacco products on the school property or at off-campus, school-sponsored events via the display of images of tobacco products on gear, technology accessories, bags, clothing, any personal articles, signs, structures, vehicles, flyers, or any other material.
- E. () Instruction to discourage the use of tobacco products shall be included in the education provided for all students. Staff responsible for teaching tobacco use prevention shall have adequate training and participate in ongoing professional development activities in order to be able to effectively deliver the education program. The curriculum for this instruction will not be paid for or developed by the tobacco industry or its subsidiaries.

# **Exceptions**

It is not a violation of this policy:

- A. for a staff member or approved visitor to include tobacco products, tobacco-related devices, imitation tobacco products, or lighters in an instructional or work-related activity in District school buildings, if the activity does not include smoking, chewing, or otherwise ingesting the product; or
- B. for a person to use or possess a product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and if the product is being marketed and sold solely for such an approved purpose.

## **Opportunities for Cessation Programs**

Administrators shall consult with the local public health department or other appropriate health and allied community-based organizations to provide students, staff, and administrators with information and access to support systems, programs, and services to encourage them to abstain from the use of tobacco products.

Administrators shall identify and offer evidence-based programs and services for staff members who use tobacco products to support them in complying with this policy.

# **Enforcement**

The success of this policy depends upon the thoughtfulness, consideration, and cooperation of the entire school community. All individuals on school premises, including students, staff, administrators, and visitors, are responsible for adhering to and enforcing this policy. Members of the school community are encouraged to communicate this policy with courtesy and diplomacy. Any person acting in violation of this policy will be informed or reminded of the policy and asked to comply.

Enforcement of this policy shall be as specified in the Student Code of Conduct. [END OF OPTION]

### **Dissemination of Policy**

Notice of this policy will be provided through:

- A. appropriate "No Tobacco" signage posted in the District on school buildings, building entrances, vehicles, vehicular entrances to school grounds, and indoor and outdoor athletic facilities;
- B. written notice to students and parents/guardians in student handbooks and orientations;
- C. written notice in staff handbooks, in orientations and employee or staff trainings, and when offering employment;
- D. reminder announcements of this policy at school and District events, as appropriate.

This smoking and tobacco-free policy shall be assessed by the District or its designated evaluator at regular intervals, but at least once a year, to determine whether policies, policy enforcement, communication, education, staff training, and cessation programs are effective. Policies and programs shall be updated and revised accordingly.

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# Legal References

F.S. 381.84

F.S. 386.202

F.S. 386.203

F.S. 386.204

F.S. 386.206

F.S. 386.212

20 U.S.C. 6081 et seq.

20 U.S.C. 7182

Florida Department of Health and the Public Health Law Center's publication "Commercial Tobacco-Free K-12 School Model Policy: Questions and Answers"

Last Modified by Christopher Reed on January 8, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title Use of Bicycles

Code \*po5514 JR 1/8/24 NEW

Status

Last Revised January 8, 2024

### 5514 - USE OF BICYCLES

[ ] Because of the clear and present danger of accidents in traffic, inherent to bicycle riding, it shall be the policy of the School Board to prohibit the use of bicycles by students for travel to and from school.

The School Board regards the use of bicycles for travel to and from school by students as an assumption of responsibility on the part of those students -- a responsibility in the care of property, in the observation of safety rules, and in the display of courtesy and consideration toward others.

The Board will not be responsible for bicycles which are lost, stolen, or damaged.

Legal F.S. 1001.43

Last Modified by James Rehmer on January 8, 2024







Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title Use of Motor Vehicles

Code \*po5515 JR 1/8/24

Status

Adopted May 1, 2002

### 5515 - USE OF MOTOR VEHICLES

The Board regards the use of motor vehicles, to include golf carts, for travel to and from school by students as an assumption of responsibility on the part of those students -- a responsibility in the care of property, in the observation of safety rules, and in the display of courtesy and consideration toward others.

The principal shall develop administrative procedures for the operation and parking of motor vehicles, to include golf carts, which shall include that students:

- A. are licensed drivers or have appropriate credentials for driving a golf cart;
- B. have adequate liability insurance for non golf cart motor vehicle;
- C. are charged a District-approved parking fee.

The Board shall not be responsible for motor vehicles which are lost, stolen, or damaged.

# Revised 1/8/2024

Legal <u>F.S. 1001.43</u>

Last Modified by James Rehmer on January 8, 2024







Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title STUDENT HAZING

Code \*po5516 12/14/23 CR

Status

Adopted May 1, 2002

Last Revised April 27, 2010

#### 5516 - STUDENT HAZING

Hazing activities of any type are inconsistent with and disruptive to the educational process, and prohibited at any time in school facilities, on school property, and/or off school property if the misconduct is connected to activities or incidents that have occurred on school property. No administrator, faculty member, or other Board employee shall encourage, permit, authorize, condone, or tolerate any hazing activities. No student shall plan, encourage, or engage in any hazing.

Hazing is defined as performing any action or situation that endangers the mental or physical health or safety of a student at a school for purposes including, but not limited to: act or coercing another, including the victim, to perform any act that causes or creates a substantial risk of causing mental or physical harm. "Hazing" includes, but is not limited to, pressuring or coercing the student into violating State or Federal law, any brutality of a physical nature, such as whipping, beating, branding, exposure to the elements, forced consumption of any food, liquor, drug, or other substance, or other forced physical activity that could adversely affect the physical health or safety of the student, and also includes any activity that would subject the student to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or other forced activity that could adversely affect the mental health or dignity of the student. Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective. Permission, consent, or assumption of risk by an individual subjected to hazing shall not lessen the prohibitions contained in this policy.

- A. initiation into any organization operating under the sanction of a District school; or
- B. admission into or affiliation with any organization operating under the sanction of a District school;
- C. affiliation with any organization operating under the sanction of a District school; or
- D. the perpetuation or furtherance of a tradition or ritual of any organization operating under the sanction of a District school.

"Hazing" includes, but is not limited to, pressuring, coercing, or forcing a student into violating State or Federal law; any brutality of a physical nature, such as whipping, beating, branding or exposure to the elements, or forced consumption of any food, liquor, drug, or other substance, or other forced physical activity that could adversely affect the physical health or safety of the student; or any activity that would subject the student to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or other forced activity that could adversely affect the mental health or dignity of the student.

Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective. Permission, consent, or assumption of risk by an individual subjected to hazing shall not lessen the prohibitions contained in this policy.

Administrators, faculty members, and other employees of the Board shall be alert particularly to possible situations, circumstances, or events that might include hazing. Administrators, staff members, and volunteers shall not intentionally remain ignorant of hazing or potential hazing activities. If hazing or planned hazing is discovered, the students involved shall be informed by the discoverer of the prohibitions contained in this policy and shall be ordered to end all hazing activities or planned activities immediately. All hazing incidents shall be reported immediately to the Superintendent in accordance with procedures set forth herein. Students, administrators, faculty members, and other employees who fail to abide by this policy may be subject to disciplinary action and may be held personally liable for civil and criminal penalties in accordance with law. If hazing a to disciplinary action and may be students involved shall be informed by the discoverer of the prohibitions contained in this policy and shall be ordered to end all

hazing activities or planned activities immediately. All hazing incidents shall be reported immediately to the Superintendent. Students, administrators, faculty members, and other employees who fail to abide by this policy may be subject to disciplinary action and may be held personally liable for civil and criminal penalties in accordance with law.

## Procedure for Reporting

The Board designates the principal as the person responsible for receiving all complaints of hazing. Any student or student's parent/guardian who believes s/he has been or is the victim of harassment should immediately report the situation to the school principal. Complaints against the principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board Chair.

All school employees are required to report alleged violations of this policy and alleged acts of hazing to the principal or as described above. School employees must report the alleged violations and acts to the principal within twenty-four (24) hours.

All other members of the school community, including students, parents, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy to the principal or as described above.

Written and oral reports shall be considered official reports. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

# **Discipline for Hazing**

Students found to have engaged in acts of hazing as defined herein shall be subject to disciplinary action in accordance with the Student Code of Conduct.

# Reports to Law Enforcement (Grades 9 through 12)

An alleged act of hazing involving any student in grades 9-12 shall be reported to the local law enforcement agency if the alleged act meets the following criteria:

- A. a person who commits an act of hazing upon another person who is a member of or an applicant to any type of student organization, if the person knew or should have known the act would result in serious bodily injury or death of such other person and the act results in the serious bodily injury or death of such other person; or
- B. a person who commits an act of hazing upon another person who is a member of or applicant to any type of student organization, if the person knew or should have known the act would create a potential risk of physical injury or death to such other person and the act creates a potential risk of physical injury or death of such other person.

# Referral of Victims and Perpetrators of Hazing to a Certified School Counselor

Individual(s) who are alleged victims or perpetrators of hazing shall be referred to a certified school counselor whose responsibility it will be to address any counseling needs of the victim or perpetrator deemed necessary by the certified school counselor which may include, but is not limited to, counseling and support to address the needs of the victim and perpetrator, interventions to address the behavior of students who perpetrated the hazing, and interventions which include assistance and support for victims of hazing.

### **District Reporting of Hazing Incidents**

Notice A

Hazing incidents shall be reported in each school's safety and discipline report required under F.S. 1006.09. The report shall include the number of hazing incidents reported, the number of incidents referred to a local law enforcement agency, the number of incidents that result in disciplinary action taken by the school, and the number of incidents that do not result in either referral to a local law enforcement agency or disciplinary action taken by the school.

The Superintendent shall distribute this policy to all students and Board employees, and shall incorporate it into building, staff, and student handbooks. It shall also be the subject of discussion at employee staff meetings or in-service programs. FL-BREVARD-23-1239-A-000553

Administrators, staff members, and volunteers shall not intentionally remain ignorant of hazing or potential hazing activities.

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Legal References

F.S. 1001.43

F.S. 1006.09

F.S. 1006.135

Revised 4/27/10

Legal <u>F.S. 1001.43</u>

F.S. 1006.135

Last Modified by Amy Giguere on December 21, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title BULLYING AND HARASSMENT

Code \*po5517.01 12/21/23 JK

Status

Adopted February 28, 2006

Last Revised February 8, 2022

#### 5517.01 - BULLYING AND HARASSMENT

### A. Generally

- 1. The School Board is committed to providing an educational setting and workplace that is safe, secure, and free from bullying and harassment for all students and employees.
- 2. The Board will not tolerate unlawful bullying and harassment of any type. Conduct that constitutes bullying and harassment, as defined herein, is prohibited:
  - a. during any education program or activity conducted by the District;
  - b. during any school-related or school-sponsored program or activity or on a school bus of the District, or at a District school bus stop;
  - c. through the use of data or computer software that is accessed through a computer, computer system, or computer network within the scope of the District; or at a District school bus stop;
  - d. through the use of data or computer software that is accessed at a non-school related location, activity, function, or program or through the use of technology or an electronic device that is not owned, leased, or used by the District or school, if the bullying substantially interferes with or limits the victim's ability to participate in or benefit from the services, activities, or opportunities offered by the District or school or substantially disrupts the education process or orderly operation of a school.
- 3. This policy has been developed and reviewed in consultation with District students, parent/legal guardians, teachers, administrators, school staff, school volunteers, community representatives, and local law enforcement agencies as prescribed in F.S. 1006.147 and in conformity with the Florida Department of Education (FLDOE) Revised Model Policy (July 2016).
- 4. Pursuant to State law, District students, parent/legal guardians, teachers, administrators, school staff, school volunteers, community representatives, and local law enforcement agencies shall be involved in the review of this policy. This review process shall be conducted not less than every three (3) years thereafter.
- 5. The Superintendent shall develop a comprehensive plan intended to prevent bullying and harassment and to cultivate the school climate so as to appropriately identify, report, investigate, and respond to situations of bullying and harassment as they may occur on school grounds, at school-sponsored events, and through school computer networks. Implementation of the plan by each principal will be ongoing throughout the school year and will be integrated with the school curriculum, the bullying and prevention program, District disciplinary policies, and violence prevention efforts.



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

1. "Bullying" includes "cyberbullying" and means systematically and chronically inflicting physical hurt or psychological distress on one (1) or more students or employees. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to creates an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation; and may involve:

a. teasing;
b. threats;
c. intimidation;
d. stalking;
e. cyberstalking;
f. physical violence;
g. theft;
h. sexual, religious, or racial harassment
i. public or private humiliation; or

k. social exclusion.

j. destruction of property; and

- 2. "Cyberbullying" means bullying through the use of technology or any electronic communication, which includes, but is not limited to, any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photo-electronic system, or photo-optical system, including, but not limited to, electronic mail, Internet communications, instant messages, or facsimile communications. Cyberbullying includes the creation of a webpage or weblog in which the creator assumes the identity of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying also includes the distribution by electronic means of a communication to more than one (1) person or the posting of material on an electronic medium that may be accessed by one (1) or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.
- 3. <u>"Cyberstalking"</u> means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.
- 4. <u>"Harassment"</u> means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student or school employee that:
  - a. places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
  - b. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or
  - $\ensuremath{\text{c.}}$  has the effect of substantially disrupting the orderly operation of a school.
- 5. "Bullying" and "harassment" also encompass:
  - a. Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.
  - b. Perpetuation of conduct listed in the definition of bullying and/or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by:



- 6. "Harassment" also means electronically transmitted acts (i.e., internet, e-mail, cellular telephone, personal digital assistance (PDA), or wireless hand-held device) that a student(s) or a group of students exhibits toward another particular student(s) and the behavior both causes mental and physical harm to the other student and is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student(s).
- 7. <u>"Sexual Cyberharassment"</u>. Pursuant to Florida law, "sexual cyberharassment" means to publish a sexually explicit image of a person that contains or conveys the personal identification information of the depicted person to an Internet website without the depicted person's consent, for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person. Sexual cyberharassment may be a form of sexual harassment.
- 8. "Within the scope of the District" means regardless of ownership, any computer, computer system, or computer network that is physically located on school property or at a school-related or school-sponsored program or activity.

## C. Expected Behavior

- 1. The District expects students to conduct themselves in keeping with their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students, and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.
- 2. Such behavior is essential in maintaining an environment that provides each student the opportunity to obtain a high quality education in a uniform, safe, secure, efficient, and high quality system of education.
- 3. The standards for student behavior shall be set cooperatively through interaction among students, parents/legal guardians, staff, and community members, producing an atmosphere that encourages students to grow in self-discipline. The development of such an atmosphere requires respect for self and others, as well as for District and community property on the part of students, staff, and community members. School administrators, faculty, staff, and volunteers serve as role models for students and are expected to demonstrate appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment or bullying.
- 4. Students are expected to conform to reasonable standards of socially acceptable behavior; respect the person, property, and rights of others; obey constituted authority; and respond to those who hold that authority.
- 5. The District shall provide for appropriate recognition and positive reinforcement for good conduct, self-discipline, good citizenship, and academic success.

### D. Consequences

- 1. Consequences and appropriate remedial action for students who commit acts of bullying or harassment or found to have wrongfully and intentionally accused another as a means of bullying or harassment may range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the Code of Student Conduct.
- 2. Consequences and appropriate remedial action for a school employee found to have committed an act of bullying or harassment or found to have wrongfully and intentionally accused another as a means of bullying or harassment shall include discipline in accordance with District policies, administrative procedures, and the collective bargaining agreement. Egregious acts of harassment by certified educators may result in a sanction against an educator's State-issued certificate. (See the Principles of Professional Conduct of the Education Profession in Florida F.A.C. 6A-10.081)
- 3. Consequences and appropriate remedial action for a visitor or volunteer found to have committed an act of bullying or harassment or found to have wrongfully and intentionally accused another as a means of bullying or harassment shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.

# **E. Procedures for Reporting**

- The Board designates the principal as the person responsible for receiving all alleged acts of bullying. Any student or student's parent/legal guardian who believes s/he has been or is the victim of bullying or harassment should immediately report the situation to the school principal. Complaints against the principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board Chair.
- 2. All school employees are required to report alleged violations of this policy and alleged acts of bullying and harassment to the principal or as described above. The alleged violations and acts must be reported by school employees to the principal within twenty-four (24) hours.
- 3. All other members of the school community, including students, parents/legal guardians, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy to the principal or as described above.
  - 4. Written and oral reports shall be considered official reports. Reports may be made a non-ymously but formal disciplinary action may not be based solely on the basis of an anonymous report.

- 5. Any reports received that indicate sexual or gender-based harassment should immediately be forwarded to a trained Title IX Coordinator (either a school-based Title IX Coordinator or the District Title IX Coordinator) for evaluation of whether such harassment falls under the scope of Title IX according to the definitions and procedures in Policy 2266 Nondiscrimination on The Basis of Sex in Education Programs and Activities.
- 6. The principal shall establish and prominently publicize to students, staff, volunteers, and parents/legal guardians the procedure for reporting bullying and how such a report will be acted upon. A victim of bullying and/or harassment who witnessed the act, and anyone who has credible information that an act of bullying and/or harassment has taken place may file a report.

## F. Procedures for Investigation

- 1. The investigation of a reported act of bullying or harassment is deemed to be a school-related activity and begins with a report of such an act. All reports of sexual or gender-based harassment shall first be screened by a trained Title IX Coordinator (either a school-based or district-level Title IX Coordinator) for Title IX violations. Any sexual or gender-based harassment claims that could meet the federal Title IX definitions must be processed through the Title IX grievance procedures in Policy 2266. All other complaints about bullying and/or harassment that may violate this policy shall be promptly investigated under this policy by an individual, designated by the principal, who is trained in investigative procedures. Documented interviews of the victim, alleged perpetrator, and witnesses shall be conducted privately and shall be confidential. The investigator may not be the accused perpetrator or victim. At no time shall the accused perpetrator and victim be interviewed together. The investigator shall collect and evaluate the facts including, but not limited to, the following:
  - a. a description of the incident, the nature of the behavior, and the context in which the incident occurred, etc.;
  - b. how often the conduct occurred;
  - c. whether there were past incidents or past continuing patterns of behavior;
  - d. the relationship between the parties involved;
  - e. the characteristics of the parties involved;
  - f. the identity of the alleged perpetrator, including whether the individual was in a position of power over the individual allegedly subjected to bullying or harassment;
  - g. the number of alleged bullies/harassers;
  - h. the age of the alleged bully/harasser;
  - i. where the bullying and/or harassment occurred;
  - j. whether there have been other incidents in the school involving the same or other students;
  - k. whether the conduct adversely affected the student's education or educational environment;
  - I. the date, time, and method in which the parents/legal guardians of all parties involved were contacted.
- 2. In accordance with State law, District staff may monitor as part of any bullying or harassment investigation any nonschool-related activity, function, or program.
- 3. If, during an investigation of reported acts of bullying and/or harassment, the principal or his/her designee believes that the reported misconduct may have created a hostile learning environment and may have constituted unlawful discriminatory harassment based on race, color, national origin, sex (including sexual orientation, transgender status, or gender identity), disability (including HIV, AIDS, or sickle cell trait), pregnancy, marital status, age (except as authorized by law), religion, military status, ancestry, or genetic information which are classes protected by State and/or Federal law (collectively "protected classes"), the principal or his/her designee will report the act of bullying and/or harassment to one (1) of the Compliance Officers so that it may be investigated in accordance with the procedures set forth in Policy 5517 Anti-Harassment.
- 4. Upon the completion of the investigation to determine whether or not a particular action or incident constitutes a violation of the policy, the designated individual who has conducted the investigation shall make a determination based on all the facts and surrounding circumstances and shall include:
  - a. a recommendation of remedial steps necessary to stop the bullying and/or harassing behavior; and
  - b. a written final report to the principal.

5. A maximum of fifteen (15) school days should be the limit for the completion of the investigative procedural steps and submission of the incident report. While fifteen (15) schools days is the expectation for completion of the investigative procedural steps, more time may be needed based on the negligible of the investigation and the circumstances affecting that investigation. The investigator shall document in his/her report the reasons for needing

additional time beyond fifteen (15) school days. The highest level of confidentiality possible shall be provided regarding the submission of a complaint or a report of bullying and/or harassment and for the investigative procedures that are employed.

6. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action initiated pursuant to this policy.

### G. Appeals

The appeals process for bullying and/or harassment cases investigated under this policy are outlined in Policy 2260.01 - Anti-Harassment and Non-Discrimination Appeal Procedures, under Student Appeal Procedures, Steps 1-3.

### H. Scope

The investigator will provide a report on the results of the investigation with recommendations for the principal to make a determination if an act of bullying or harassment falls within the scope of District authority. Computers without web-filtering software or computers with web-filtering software that is disabled shall be used when complaints of cyberbullying are investigated. If the action is within the scope of the District, District procedures for investigating bullying and/or harassment shall be followed. If the action is outside the scope of the District, and believed to be a criminal act, the action shall be referred to the appropriate law enforcement agency. If the action is outside the scope of the District and believed not a criminal act, the principal shall inform parent/legal guardians of all minor parties.

# I. Parent/Legal Guardian Notification

- 1. The principal shall report the occurrence of an incident of bullying as defined by District policy to the parents/legal guardians of all students known to be involved in the incident on the same day an investigation of the incident has been initiated. Notification shall be by telephone or by personal conference and in writing by first class mail and shall be consistent with the student privacy rights under applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA). The notice shall advise the individuals involved of their respective due process rights including the right to appeal any resulting determination or action to the State Board of Education.
- 2. If the bullying incident results in the perpetrator being charged with a crime, the principal shall inform by first-class mail or by telephone the parent/legal guardian of the identified victim(s) involved in the bullying incident about the Unsafe Schools Choice Option (No Child Left Behind (NCLB), Title IX, Part E, Subpart 2, Section 9532) that states in pertinent part, as follows:,
  - "...a student attending a persistently dangerous public elementary school or secondary school, as determined by the State in consultation with a representative sample of local educational agencies, or who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school."
- 3. Upon the completion of the investigation and if criminal charges are to be pursued against the perpetrator, the appropriate law enforcement agencies shall be notified by telephone and/or in writing.

# J. Counseling Referral

- 1. The District shall provide a referral procedure for intervening when bullying or harassment is suspected or when a bullying incident is reported. The procedure will include:
  - a. a process by which the teacher or parent/legal guardian may request informal consultation with school staff (e.g., school counselor, school psychologist, etc.) to determine the severity of concern and appropriate steps to address the concern;
  - a referral process to provide professional assistance or services that may include a process by which school
    personnel or parents/legal guardians may refer a student to the school intervention team (or equivalent
    school-based team with a problem-solving focus) for consideration of appropriate services (parent/legal
    guardians involvement is required at this point); or
  - c. if a formal discipline report or formal complaint is made, the principal must refer the student(s) to the school intervention team for determination of counseling support and interventions (parents/legal guardians are required at this point).
    - i. a school-based action to address intervention and assistance as determined appropriate by the intervention team that includes:
    - ii. counseling and support to address the needs of the victim(s) of bullying or harassment;
    - iii. interventions to address the behavior of students who bully and harass others (e.g., empathy training, anger management, etc.);
    - iv. interventions which include assistance and support for parents/legal guardians, as may be deemed necessary or appropriate. FL-BREVARD-23-1239-A-000559

## K. Data Report

- 1. The District will utilize Florida's School Environmental Safety Incident Reporting (SESIR) Statewide Report on School Safety and Discipline Data as prescribed. If a bullying (including cyberbullying) and/or harassment incident occurs it will be reported in SESIR, coded appropriately using the relevant incident code and the related element code. Discipline and referral data will be recorded in Student Discipline/Referral Action Report and Automated Student Information System. In a separate section, the District shall include each alleged incident of bullying or harassment that does not meet the criteria of a prohibited act under this policy with recommendations regarding such incidents.
- 2. The District will provide bullying incident, discipline, and referral data to the Florida Department of Education (FLDOE) in the format requested, through Surveys 2, 3, and 5 from Education Information and Accountability Services, and at designated dates provided by the Department. Data reporting on bullying, harassment, unsubstantiated bullying, unsubstantiated harassment, sexual harassment, and threat/intimidation incidents, as well as any bullying-related incidents that have as a basis sex, race, or disability should include the incident basis. Victims of these offenses should also have the incident basis (sex, race, or disability) noted in their student record.

## L. Training and Instruction

- 1. Students, parents/legal guardians, teachers, school administrators, counseling staff, and school volunteers shall be provided training and instruction, at least annually, on the District's policy and administrative procedures regarding bullying and harassment. The instruction shall include evidence-based methods of preventing bullying and harassment, as well as information about how to effectively identify and respond to bullying in schools. Instruction regarding bullying, harassment, and the District's violence prevention and school safety efforts shall be integrated into District curriculum at the appropriate grade levels. The training and instruction shall include recognizing behaviors that lead to bullying and harassment and taking appropriate preventative action based on those observations. The programs of training and instruction authorized by the District shall include, but not be limited to:
  - a. Creating a Safe and Respectful Environment in the Nation's Classrooms;
  - b. Creating a Safe and Respectful Environment on the Nation's School Buses;
  - c. www.stopbullying.gov
  - d. School-Based Bullying Prevention OJJDP Model Programs Guide OJJDP Model Programs Guide;
  - e. National Center on Safe Supportive Learning Environment;
  - f. The ABCs of Bullying: Addressing, Blocking, and Curbing School Aggression;
  - g. National Registry of Evidence-based Programs and Practices: Anti-bullying curriculum for K-12 students;
  - h. Monique Burr Foundation: Prevention Education Programs

## M. Victim's Parent/Legal Guardians Reporting

The principal shall report the occurrence of an incident of bullying as defined herein to the parent/legal guardian of students known to be involved in the incident on the same day an investigation of the incident has been initiated. Notification shall be by telephone and in writing by first-class mail and shall be consistent with the student privacy rights under applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA). According to the level of infraction, the victim's parent/legal guardian will be notified by telephone and/or in writing of actions being taken to protect the child; the frequency of notification will depend on the seriousness of the bullying or harassment incident.

# N. Policy Publication

- 1. The District shall provide notice to students and staff of this policy in the Code of Student Conduct, employee handbooks, and via the District's official website. The Superintendent will also provide such notification to all District contractors.
- 2. Each principal shall implement a process for discussing, at least annually, the District policy on bullying and harassment with students in a student assembly or other reasonable format. Reminders of the policy and bullying prevention messages will be displayed, as appropriate, at each school and at District facilities.

# O. Immunity

1. A school employee, school volunteer, students, parent/legal guardian, or other person who promptly reports in good faith an act of bullying or harassment to the appropriate school official and who makes this report in compliance with the procedures set forth in District policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident.

2. Submission of a good faith complaint or report of bullying or harassment will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments. Such immunity from liability shall not apply to any school employee, school volunteer, student, parent/legal guardian, or other person determined to have made an intentionally false report about harassment, intimidation, and/or bullying.

### P. Privacy/Confidentiality

- 1. The School District will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under this policy and its related administrative procedures shall be maintained as confidential to the extent permitted by law.
- 2. Nothing in this policy shall be construed to abridge the rights of students or school employees that are protected by the First Amendment to the Constitution of the United States.

### Q. Retaliation / False Charges

Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry under this policy is prohibited. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions. Suspected retaliation should be reported in the same manner as aggressive behavior and/or bullying.

Revised 4/28/09 Revised 11/16/10 Revised 11/19/13 Technical Change 6/8/15 Revised 10/24/17 Technical Changes 9/10/19 Revised 2/8/22

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F.S. 784.048 F.S. 1002.20 F.S. 1006.13 F.S. 1006.147

Florida Department of Education Revised Model Policy (July 2016)

No Child Left Behind (NCLB), Title IX, Part E, Subpart 2, Section 9532

Last Modified by Julie Kastensmidt on December 21, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title REMOVAL, OUT-OF-SCHOOL SUSPENSION, DISCIPLINARY PLACEMENT, AND EXPULSION OF STUDENTS

Code \*po5610 12/18/23 CR

Status

Adopted May 1, 2022

Last Revised May 9, 2023

### 5610 - REMOVAL, OUT-OF-SCHOOL SUSPENSION, DISCIPLINARY PLACEMENT, AND EXPULSION OF STUDENTS

- A. The Board recognizes that exclusion from the educational program of the schools, whether by emergency removal, out-of-school suspension, disciplinary placement, or expulsion, is the most severe sanction that can be imposed on a student in this District, and one that cannot be imposed without due process.
- B. No student is to be removed, suspended, expelled, or excluded from an activity, program, or a school unless his/her behavior represents misconduct as specified in the Code of Student Conduct approved by the Board. The handbook shall also specify the procedures to be followed by school officials. In determining whether a student is to be suspended or expelled, District Administrators shall use a preponderance of evidence standard. In addition to the procedural safeguards and definitions set forth in this policy and the Code of Student Conduct handbook, the procedures set forth in Policy 5605 shall apply to students identified as disabled under the IDEA and/or Section 504 of the Rehabilitation Act of 1973.
- C. For purposes of this policy and the Superintendent's administrative procedures, the following shall apply:
  - "Emergency removal" shall be the exclusion of a student who poses a continuing danger to District property or persons in the District or whose behavior presents an on-going threat of disrupting the educational process provided by the District.
  - 2. "Suspension", also referred to as "out-of-school suspension", means the temporary removal of a student from all classes of instruction on school grounds and all other school-sponsored activities, except as authorized by the principal or designee, for a period not to exceed ten (10) school days and remanding of the student to the custody of the student's parent or legal guardian, with specific homework assignments to complete.
  - 3. "Serious breach of conduct" includes, but is not limited to, willful disobedience, open defiance of authority of a member of the staff, actual or threatened violence against persons or property, or any other act that substantially disrupts the orderly conduct of the school.
  - 4. "Expulsion" is the removal of the right and obligation of a student to attend a public school for a period of time and under conditions set by the Board not to exceed the remainder of the term or school year and one (1) additional year of attendance.
  - 5. "Disciplinary Placement" means the involuntary separation of a student from his/her regular school or traditional education setting and benefits attached to such placement to an alternative school/program or disciplinary setting with continued educational services.

# D. REMOVAL FROM CLASS

## 1. Referral

- a. A teacher has the authority to refer a disruptive student to the Principal's office to maintain effective discipline in the classroom and may recommend an appropriate consequence consistent with the Student Code of Conduct. . In that circumstance, the Principal, or designee, will provide oral and/or written feedback to the teacher with regard to action taken or proposed to be taken concerning the student's behavior.
- b. The teacher may request a conference with the principal and the students' parent(s)/guardian(s) prior to the student being returned to his/her classroom. A disruptive student will not normally be returned to the classroom where he/she exhibited the disruptive behavior before such a conference occurs.

Disruptive behavior will include, but not be limited to, the following:

- 1. assault on staff or students,
- 2. threat(s) or violence,
- 3. willful disregard of a teacher's directions, interfering with the class or activity,

- 4. malicious vandalism,
- 5. possession of weapons of any type,
- 6. continuing use of profane language or obscene gestures, and
- 7. instigation of violence or mass disobedience to legitimate directions.

a.

After determining that the student has violated the Student Code of Conduct, the Principal shall respond either by employing the teacher's recommended consequence, or by imposing a more serious disciplinary action, if the student's overall behavioral history warrants it.

If the Principal determines that disciplinary action other than that recommended by the teacher is appropriate, the Principal should consult with the teacher before taking disciplinary action. If the Principal deviates in any way from the teacher's recommendation, the Principal must provide the reasons for any such deviation in writing to the teacher.

If the Principal determines that the student has not violated the Student Code of Conduct, the Principal may not impose any discipline.

The Principal shall notify the teacher of any decision regarding discipline, or lack thereof, and interventions provided to a student to address the

The teacher may request a conference with the Principal and the student's parent(s)/guardian(s) prior to the student being returned to his/her classroom. A disruptive student will not normally be returned to the classroom where he/she exhibited the disruptive behavior before such a conference occurs

a.

# Removal via Teacher Authority Act

- a. Pursuant to F.S. 1003.32, a teacher may remove a student from his/her class whose behavior the teacher determines interferes with the teacher's ability to effectively communicate with other students in the class or with the ability of the student's classmates to learn.
- b. The principal, or designee, may not return a student who has been removed by a teacher from the teacher's class without the teacher's consent, unless the Placement Review Committee established herein determines that such placement is the best or only available alternative.
- c. The teacher and the Placement Review Committee must render decisions within five (5) working days of the removal of the student from the classroom.
- d. In accordance with State law, each school shall establish a Placement Review Committee(s) to determine if a student is to be returned to a teacher's class after that student has been removed by the teacher and the teacher has withheld consent for that student to be returned to the teacher's class. Committee membership shall be as set forth in State law. The Placement Review Committee(s) will be selected during preschool planning.
- e. A teacher who removed a student from his/her class and who has withheld consent for the return of that student to his/her class, shall not serve on the committee when the committee makes its decision regarding the return of the student.

# F. OUT-OF-SCHOOL SUSPENSION FROM SCHOOL OR FROM RIDING SCHOOL BUS

- 1. When a student's actions are disruptive to himself/herself or to the school as to violate law, Board policies, or school rules, the student may be suspended by the principal, or designee. Suspension dictates that the student shall not be allowed to attend his/her regular classes or school-sponsored activities for a prescribed number of days not to exceed ten (10). The principal or designee retains the authority to delay a student suspension if it is deemed in the best academic interest of the student. This authority does not extend to athletic or other non-academic extracurricular events. The principal, or designee, may refer the student during the period of the suspension to in-school suspension or shall remand the student to the custody of his/her parent or legal guardian. Prior to suspending a student, except in emergencies, the principal, or designee, shall make an effort to employ parental assistance or alternative methods of dealing with the student and shall document such efforts.
- 2. The principal, or designee, may suspend a student from school and/or from riding the school bus for a period not to exceed three (3) school days. With advance approval from the principal, or designee, the student may be suspended for more than three (3) days but not to exceed ten (10) days.
- 3. In no case shall a teacher suspend a student from school or class, nor shall a bus driver suspend a student from riding a school bus.
- 4. A student may not be suspended for unexcused tardiness, lateness, absence, or truancy.
- 5. Prior to the suspension, the student shall be given an informal and impartial hearing before the principal, or designee, and shall be informed of the charge(s) against him/her which may result in suspension. If the student denies the charge(s), s/he shall be given an explanation of the evidence, and an opportunity to present his/her version of the case, and notification of the action taken by the principal, or designee. In cases of extremely disruptive or dangerous behavior, persons or groups involved may be immediately suspended and removed from the school campus without the necessity of a prior hearing. In such instances, each student shall be afforded an informal hearing before the principal, or designee, prior to the end of the suspension.
- 6. Prompt notice of a suspension shall be given by telephone to the student's parent or legal guardian, if possible. Formal written notification to the student's parent or legal guardian shall be initiated within twenty-four (24) hours of the time the student is informed of the suspension via US Mail.
- 7. Except in the event of emergencies or disruptive conditions which require immediate suspension or in the case of a serious breach of conduct that is defined as willful disobedience, open defiance of authority of a member of the school staff, violence against persons or property, or any other act which substantially disrupts the orderly conduct of the school, all out-of-school suspensions shall not begin prior to the beginning of the least school day following the infraction unless the parents or legal guardians have been notified.
- 8. Prior to the suspension, the student shall be given an informal and impartial hearing before the principal, or designee, and shall be informed of the charge(s) against him/her which may result in suspension. If the student denies the charge(s), s/he shall be given an explanation of the evidence, and an opportunity to present his/her version of the case, and notification of the action to the principal of the principal of the case of

extremely disruptive or dangerous behavior, persons or groups involved may be immediately suspended and removed from the school campus without the necessity of a prior hearing. In such instances, each student shall be afforded an informal hearing before the principal, or designee, prior to the end of the suspension.

- 9. The Board also authorizes the principal, or designee, to suspend a student from any or all co-curricular or extra-curricular activities for violations of the Code of Student Conduct. The length of suspension shall be in accordance with the discipline code.
- 10. The principal shall determine, in consultation with teachers, when appropriate, whether the student should be given the opportunity to make up schoolwork and course requirements missed while absent due to out of school suspension. If this privilege is given, the student shall have a reasonable amount of time, up to five (5) school days following suspension to complete the school work missed and shall do so on his/her own initiative. A student shall be given the opportunity to make up schoolwork and course requirements missed while absent due to out-of-school suspension. The student shall have a reasonable amount of time up to five (5) school days following suspension to complete the school work missed and shall do so on his/her own initiative.
- 11. The principal, or designee, may suspend a student from school and/or from riding the school bus for a period not to exceed three (3) school days. With advance approval from the principal, or designee, the student may be suspended for more than three (3) days but not to exceed ten (10) days.
- 12. If the principal determines that a student's behavior on a school vehicle violates school rules, s/he may suspend the student from school busriding privileges for the length of time deemed appropriate for the violation and remediation of the behavior. Any such suspension must comply with due process and the Code of Student Conduct.
- 13. The Board designates the Superintendent as its representative at all hearings regarding the appeal of a suspension. The Board will hear the appeal of an expulsion.
- 14. When Board action on a recommendation for the expulsion of a student is pending, the Superintendent may extend the suspension assigned by the principal beyond ten (10) school days if such suspension expires before the next regular or special meeting of the Board.
- 15. In the case of students in exceptional education classes, please refer to the Brevard County Special Programs Policies and Procedures (SP&P) and the Code of Student Conduct.
- 16. The Board authorizes the superintendent to delay the admission of a student who has been suspended by another public or private school for an act that would have been grounds for suspension according to the Board adopted Code of Student Conduct for a period equal to that of the suspension.

### c. G. DELAYED ADMISSION

The Board authorizes the superintendent to delay the admission of a student who has been suspended by another public or private school for an act that would have been grounds for suspension according to the Board-adopted *Code of Student Conduct* for a period equal to that of the suspension.

#### H. WAIVER OF SUSPENSION

The Superintendent may grant to a principal the approval to waive mandatory suspension policies if the principal has submitted a request for the waiver and has an existing educational alternative program. Students placed on an extended suspension are afforded the opportunity to attend an alternative school/program while waiting for informal/formal hearing.

1. The Superintendent may grant to a principal the approval to waive mandatory suspension policies if the principal has submitted a request for the waiver and has an existing educational alternative program. Students at schools without alternative programs may attend alternative programs at another school with the approval of both principals and area superintendent.

# dI. School Work Assigned During Out-of-School Suspension

1. Credit will be given for work missed due to out-of-school suspension provided the student completes and submits all required assignments upon return to school.

### J. DISCIPLINARY REASSIGNMENT AND EXPULSION ELLABLE OFFENSESulsion

- 1. The Board recognizes that disciplinary placement and expulsion from the educational program of the schools is the most severe sanction for a student in this District and one that cannot fairly be imposed without due process.
- 2. Procedures for Expellable Offenses:

### a. Administrative Hearing:

- i. Discuss the student's alleged behavior.
- ii. Give the student an opportunity to make a statement.
- iii. Review the student's records and complete Manifestation Determination Review or Administrative Hearing Screening Review.
- iv. Inform the student/parent/legal guardian of their due process right to speak before the Superintendent or designee at the next available meeting of the school board.
- b. <u>Principal Decision</u> a principal may recommend to the Superintendent the disciplinary placement or expulsion of a student who has committed a serious breach of conduct. <del>The principal shall provide the Superintendent with an adequate history of the student's actions and alternative measures taken relevant to the recommendation for disciplinary placement or expulsion. A recommendation of disciplinary placement or expulsion will include a detailed report on the student's actions and alternative measures taken before the recommendation.</del>
- c. <u>Superintendent Recommendation</u> Superintendent makes a recommendation for disciplinary placement or expulsion to the Board, written notice shall be given to the student and his/her parent or legal guardian of the recommendation setting forth the charges against the student and advising the student and his/her parent or legal guardian of their right of due process.



3. The Superintendent, after reviewing the facts and circumstances of the student's misconduct and the principal's recommendation, may accept, reject, or modify the principal's recommendation. The Board will decide on a recommended expulsion of any student and on a recommended disciplinary placement of any student who has been determined to have brought to, or possessed at, school a firearm or weapon, as defined in F.S. Chapter 790, or to have made a threat or false report, as defined by F.S. 790.162 and 790.163.

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- 5. When making a determination whether or not a student will be expelled or permanently excluded under this policy, the Superintendent shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315 Information Management (i.e. "Litigation Hold")) created and/or received as part of an investigation.
- 7. The documents, ESI, and electronic media (as defined in Policy 8315) shall be retained in accordance with Policy 8310, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.
- a. Appeal Process parent/legal guardian who request an appeal will meet with the Superintendent/designee prior to a board hearing.
- b. <u>Pre-Hearing Conference</u> Within fourteen (14) days, either party may request a pre-hearing conference with a member of the Board. The purpose of this conference is to determine if the student's alleged infraction violates the Student Code of Conduct and is an expellable offense. It should be noted that the school board member acting as chair will not render judgment during this conference.
- c. <u>Board Hearing</u> the student and parent/legal guardian will have the opportunity to meet with the Superintendent or designee to challenge the proposed action or to otherwise explain the student's actions.
- d. Expulsion is the removal of the right and obligation of a student to attend a public school for a period of time and under conditions set by the Board not to exceed the remainder of the term or school year and one (1) additional year of attendance.
- e. For students in exceptional student education, please refer to the Brevard County Special Program Policies and Procedures (SP&P).
- f. All students who are recommended for expulsion shall undergo screening to determine if they may be a student with a disability and due the procedural rights and safeguards afforded such students.

## g. EXPULSION HEARING

- 1. All Expulsion Hearings will be conducted by members of the Board.
- 2. All parties will be given reasonable notice of the hearing of not less than fourteen (14) days; however, the fourteen (14) day requirements may be waived by the Board without the consent of the parties.
- 3. Failure to timely request a hearing or failure to appear at a hearing after notice of the date and time of the hearing shall be deemed to be a waiver of any hearing on the matter. However, upon presentation of good and sufficient reasons for non-appearance, the presiding officer may direct that the hearing be re-scheduled.
- 4. Hearings will be conducted in accordance with Florida statutes and the Uniform Rules of Procedure. Reasonable flexibility in method or order of presentation shall be permitted. No parent, legal guardian or adult student shall be prohibited from presenting reasonable matters because of insubstantial procedural irregularities. A parent, legal guardian or adult student may be represented at the hearing by an adult, whether as legal counsel or qualified representative. Expulsion hearings are exempt from the public meetings law; however, the parent or legal guardian may elect to have the hearing held as a public meeting.
- 5. All parties are expected to conduct themselves appropriately. A reasonable decorum is expected at all times and all statements should be directed to the Board. The presiding officer may interrupt, warn, or terminate a participant's statement when personally directed, abusive, obscene or irrelevant. Should an individual not observe proper etiquette, the presiding officer may request the individual leave the hearing and the hearing will continue to its conclusion.

# h. NO DISPUTED ISSUES(S) OF MATERIAL FACT

If there is no disputed issue of material fact, the parent, legal guardian or adult student, or their counsel, will have the opportunity at the hearing to present written or oral evidence in opposition to the proposed action or a written statement challenging the propriety of the proposed action.

### i. DISPUTED ISSUE(S) OF MATERIAL FACT

If there is a disputed issue of material fact, all parties will have an opportunity at the hearing to respond, to present evidence, and argument on all issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of fact and orders.

Findings of fact shall be based on a preponderance of the evidence and shall be based exclusively on the evidence of record and on matters officially recognized.

#### j. BOARD ACTION

At the conclusion of the hearing, or at a later time designated by the Board, the Board will consider all the evidence and argument presented and by majority vote will decide whether to uphold the superintendent's recommendation or to impose a different penalty or no penalty.

# k. FINAL ORDER

The Board will enter a written final order, including findings of fact, if any, and conclusions of law separately stated. The final order will include a ruling on each exception, if any, in accordance with Florida statutes.

The final order will be served on all parties.

#### a. APPLICATION REQUIREMENTS FOR EARNED RETURN OF EXPELLED AND/OR STUDENTS WHOSE EXPULSION IS HELD IN ABEYANCE.

- Students whose expulsion is held in abeyance, may be eligible for Earned Return. The Earned Return Program requires eligible students
  to participate in an appropriate educational program and in a counseling/educational program to address the student's expulsion offense.
  Participation in Earned Return requires written approval of the home school principal and permission of the parent/legal guardian.
- 2. The following discipline infractions will be offered the opportunity for Earned Return for a student's first offense:
  - a. Alcohol Possession/Sale/Distribution (ALC)
  - b. Bus/Transportation Procedure Violation (Major) (OM2)
  - c. Chronic Misconduct
  - d. Classroom Disruption Major
  - e. Cyberstalking (TR1)
  - f. Drug Use/Possession, excluding alcohol (DRU)
  - g. Failure to Report Criminal Offenses
  - h. Fighting (FIT)
  - i. Grand Theft (STL)
  - j. Network/Internet Misuse Major
  - k. Criminal Mischief (VAN)
- 3. The Board has zero tolerance for conduct that poses a threat to school safety. The following discipline infractions will not be offered the opportunity for Earned Return:
  - a. Aggravated Battery (BAT)
  - b. Arson (ARS)
  - c. Drug Sale/Distribution Excluding Alcohol (DRD)
  - d. False Accusation Against a Staff Member
  - e. Homicide (HOM)
  - f. Kidnapping (KID)
  - g. Sexual Battery (SXB)
  - h. Threat/Intimidation (TRE)
  - i. Weapons Possession (WPO)
- 4. All other discipline infractions will be evaluated on a case by case basis by the Principal and Assistant Superintendent, or designee, to determine if Earned Return will be offered.
- 5. Students expelled from school and eligible for Earned Return may apply for re-admission in accordance with this rule. Applicants must provide documentation of the following:
  - a. The student has made successful progress in a State approved rehabilitation and/or counseling treatment program or the District's Earned Return program.
  - b. During the expulsion period the student has participated in the District approved off site abeyance alternative program or other Board approved program.
  - c. For drug related and alcohol offenses, completion of a controlled urine screen will be required immediately prior to application to verify s/he is medically clean of drugs. An additional clean drug screen must be documented within three (3) weeks of returning to their home school. Any student testing positive for drugs may lose their opportunity for Earned Return. Drug/alcohol screening will be conducted by an approved District vendor.
  - d. The parent/legal guardian(s) of a student eligible for earned return must complete a minimum of two (2) family therapy sessions. The classes and the parent/legal guardian's involvement in the process are to be considered by the principal in making a recommendation.
  - e. A student and parent/legal guardian(s) of a student eligible for earned return may apply for return to the regular school program commencing the nine weeks following completion of the requirements for earned return of expelled students.
  - f. If attending and successfully completing a District alternative school/program, the student may return to the regular school program during the same semester.

- g. A student not attending a Brevard Public School alternative learning program can still apply for the Earned Return Program. They shall be eligible to return to school at the beginning of the nine weeks session following final approval of the application. Application can be made in the same semester or term that the expulsion occurs. The application for Earned Return shall be submitted to the principal of the school where the student was last enrolled and expelled. It shall be accompanied by a written conduct agreement between the principal/designee, the student and the parent/legal guardian(s) delineating responsibilities if the student is re admitted to the regular school program. Such agreement shall outline conditions of the Earned Return and may include provisions such as, use of periodic controlled urine screening, student responsibility for attendance, school performance, discipline procedures, special services, or other provisions. It shall include a provision stating that if a student does not meet the requirements of this contract, the original expulsion order remains effective. If an expulsion order has not been entered by the Board, the student will return to an alternative school/program.
- h. The principal and the Assistant Superintendent shall review the application and approve or disapprove.

# K. OUT-OF-DISTRICT OR STATE MISCONDUCT

- 1. A student seeking to enroll in a District school who has been expelled for an act that would have been grounds for expulsion according to the Board-adopted Code of Student Conduct by an in-state or out-of-state public district school board or private school, or lab school may be denied admission to the District's school for a period equal to that of the expulsion.
- 2. Prior to making a recommendation regarding admission or denial thereof, the Superintendent, or designee, shall offer the student an opportunity for a hearing to review the circumstances of the expulsion and any factors the Superintendent determines to be relevant.
- 3. The Superintendent may recommend that the Board honor the final order of expulsion from the student's previous district of attendance and deny admission to the student, or that the Board waive the final order of expulsion and admit the student.
- 4. Acting upon the recommendation of the Superintendent, the Board may deny the admission of a student who has been expelled by any in-state or out-of-state public district school board or private school for a period equal to that of the expulsion for an act that would have been grounds for expulsion according to the Board-adopted Code of Student Conduct. A final order of expulsion shall be recorded in the records of the District, and the student and his/her parents or legal guardians shall be advised of the final order of expulsion.
- 5. However, the Board may, with or without the Superintendent's recommendation, waive the expulsion, admit the student, and direct that s/he be placed in an appropriate educational program.
- 6. The Superintendent shall develop administrative procedures which provide appropriate procedures for implementing this policy and ensure compliance with applicable statutes.
- 7. A copy of this policy is to be posted in a central location in each school and made available to students and parent/legal guardians upon request. Key provisions of the policy should also be included in the Code of Student Conduct.

Revised 4/12/05 Revised 2/28/06

Revised 7/22/14 Revised 7/14/20

Revised 5/9/23

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Legal References

F.S. 120.569

F.S. 120.57

F.S. 1002.20

F.S. 1003.02

F.S. 1003.32

F.S. 1006.07

F.S. 1006.08

F.S. 1006.09

F.A.C. Chapter 28-106

18 U.S.C. Section 921

Legal

F.S. 1002.20

F.S. 1003.02

F.S. 1006.07

F.S. 1006.09

F.A.C. 6A-6.03312

18 U.S.C. Section 921 20 U.S.C. 8921

Last Modified by Christopher Reed on January 8, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title IN-SCHOOL DISCIPLINE

Code \*po5610.02 12/18/23 CR

Status

Adopted May 1, 2002

### 5610.02 - IN-SCHOOL DISCIPLINE

It is the purpose of this policy to allow for an alternative to out-of-school suspension. The availability of in school discipline options is dependent upon the financial ability of the Board to support it.

In-school discipline includes detention, in-school restriction, Saturday School, in-school suspension, which is the temporary removal of a student from his/her regular class(es) and assigning the student to a location in the building under the supervision of School Board personnel for a period not to exceed ten (10) school days.

Students assigned to in-school suspension will be given credit for all classroom assignments completed provided the student submits the assignments upon return to his/her class.

In-school discipline will only be offered at the discretion of the principal for offenses found in the student/parent handbook. Student Code of Conduct/Student Discipline Code.

The Superintendent is to establish administrative procedures for the proper operation of such programs. As long as the in-school disciplinary alternatives are served entirely in the school setting, they will not require any notice, hearing, or appeal rights. and to ensure that appropriate due process procedures are followed as applicable.

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Legal References

F.S. 1006.07

Legal F.S. 1006.07

Last Modified by Amy Giguere on December 21, 2023







Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title SUSPENSION OF BUS RIDING/TRANSPORTATION PRIVILEGES

Code \*po5610.04 12/21/23 CR

Status

### 5610.04 - SUSPENSION OF BUS RIDING/TRANSPORTATION PRIVILEGES

Students on a bus or other authorized School Board transportation vehicles are under the authority of and directly responsible to the bus/vehicle driver. The driver has the authority to enforce the established regulations for bus/vehicle conduct. Disorderly conduct or refusal to submit to the authority of the driver will be sufficient reason for refusing transportation service to any student.

A student may be suspended from school bus/vehicle riding privileges for all or part of a school year for any violation of established regulations for bus conduct and/or for conduct occurring on the bus/vehicle in violation of the Student Code of Conduct/Student Discipline Code. The Principal may suspend a student from riding the school bus for a period not to exceed **ten (10)** school days.

Before a suspension from bus/vehicle riding privileges is imposed, the Superintendent or other designated District personnel will provide a student with notice of an intended suspension and an opportunity to appear before the Superintendent or other designated District personnel. Disciplinary suspension periods will be commensurate with the infraction(s) committed as determined by the Principal or designated District personnel for a suspension of ten (10) days or less, or as determined by the Board upon the recommendation of the Superintendent for a suspension longer than ten (10) days.

Any additional procedures regarding conduct on school buses/vehicles, as well as general information about the school transportation program, will be made available to all parents and students and posted in a central location.

[Note: This policy and any procedures should be incorporated into student handbooks.]

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F.S. 1006.07

F.S. 1006.10

F.A.C. 6A-3.0171

AMERICAN

Last Modified by Christopher Reed on December 21, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title STUDENT AND PARENT/LEGAL GUARDIAN COMPLAINTS

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Adopted May 1, 2002

Last Revised December 13, 2022

### 5710 - STUDENT AND PARENT/LEGAL GUARDIAN COMPLAINTS

- A. The Board recognizes that students and parents/legal guardians have the right to request redress of certain grievances. Further, the Board believes that the inculcation of respect for lawful procedures is an important part of the educational process.
- B. For purposes of this policy, a student or parent/legal guardian complaint shall be any such that arises out of actions, procedures, and policies of this Board or its employees or the lack of such policy or procedure.
- C. Except as otherwise specified in other policies of the Board and the section below, complaints will be addressed as set forth in Board Policy 9130\*.
- D. Parent/Legal Guardian Complaints Regarding Concerns with the Implementation of F.S. 1001.42 (8)(c) at Their Child's School
  - 1. Any parent/legal guardian with a concern regarding the implementation of the provisions of F.S. 1001.42 (8)(c) at their child's school may file a written complaint with the school's Principal.
  - 2. The written complaint can be submitted using the Resolution of Dispute form as provided in AP 5780.
  - 3. The written complaint must be delivered to the Principal of their child's school via hand delivery, U.S. Mail, or e-mail.
  - 4. Upon receipt of the written complaint, the Principal will review the concerns and communicate with those involved. The Principal, after reviewing the concerns and communicating with those involved, may meet with the parent/legal guardian (in-person or electronically) to try to resolve the complaint informally. This process must be completed within seven (7) calendar days of receipt of the parent's/legal guardian's written complaint.
  - 5. If the parent/legal guardian notifies the Principal of their child's school that their written complaint remains unresolved, the Principal shall notify the Superintendent or designee. The District must, within thirty (30) days after such notification from the parent, either resolve the complaint to the parent's/legal guardian's satisfaction or provide a written statement of the reasons for not resolving the concern.
  - 6. If a concern is not resolved by the District, a parent/legal guardian may seek to pursue those remedies available under F.S. 1001.42 (8)(c)7.b.(I-II).
  - 7. This policy shall be published on the District's website to notify parents of the process herin. Parents shall also be notified of the process herein through district Government and Community Relations communications. -communications.

\*(Policy 9130 as referenced in above subsection C will become effective upon Board approval no later than February 28, 2023).



Legal F.S. 1001.42

F.S. 1002.20 F.S. 1012.796

Last Modified by Paul Gibbs on December 20, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title Preparation for Voter Registration

Code \*po5724 JR 1/12/24 NEW

Status

### 5724 - PREPARATION FOR VOTER REGISTRATION

The School Board believes that preparing students to assume the responsibilities which our democratic society places on each of its citizens is an important function of the schools. Supplying our high school students with all pertinent information regarding voter registration is one crucial means of meeting this goal.

Additionally, each high school in the District shall offer the opportunity for enrolled stud who reach the age of majority, to register as voters.

Additionally, each high school in the District shall offer the opportunity for enrolled students, who reach the age of majority, to register as voters.

Legal 1003.42

Last Modified by James Rehmer on January 12, 2024







Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title SEARCH AND SEIZURE

Code \*\*po5771 12/19/23 CR; PG 12-20-23

Status

Adopted May 1, 2002

Last Revised June 30, 2020

### 5771 - SEARCH AND SEIZURE

- A. The Board recognizes that the privacy of students or their belongings may not be violated by unreasonable search and seizure and directs that no student be searched without reasonable suspicion or in an unreasonable manner.
- B. The Board acknowledges the need for in-school storage of student possessions and may provide storage places, including desks and lockers, for that purpose. Such spaces remain the property of the Board and in accordance with law, may be the subject of a search upon reasonable suspicion that a prohibited or illegally possessed substance or object is contained therein. Where lockers are provided for such places, students may lock them against incursion by other students, but in no such places shall students have such an expectation of privacy as to prevent examination by a school official. The Board directs the school principal or designee to conduct a routine inspection at least annually of all such storage places.
- C. School authorities are charged with the responsibility of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, school authorities may search the person, property, or vehicle of a student, with or without the student's consent, whenever they reasonably suspect that the search is required to discover evidence of a violation of law or of school rules. The extent of the search will be governed by the training and experience of the school authority, their personal observations, the reliability of witness information, anonymous information, previous experiences with the student to be searched, the knowledge of the student's age, reputation, and discipline record; the prevalence and/or seriousness of the suspected violation of law or the Code of Student Conduct, and the urgency to protect the health and safety of students, school personnel, and/or others. The extent of the search will be governed by the seriousness of the alleged infraction and the student's age. This authorization to search shall also apply to all situations in which the student is under the jurisdiction of the Board.
- D. Search of a student's person or intimate personal belongings shall be conducted by a person of the student's gender, in the presence of another staff member of the same gender, and only in exceptional circumstances when the health or safety of the student or of others is immediately threatened. This authorization to search shall also apply to all situations in which the student is under the jurisdiction of the Board.
- E. Administrators are authorized to arrange for the use of a breath-test instrument for the purpose of determining if a student has consumed an alcoholic beverage. It is not necessary for the test to determine blood-alcohol level since the Board has established a zero tolerance for alcohol use.
- F. Administrators are permitted to conduct a random search of any student's locker and its contents at any time, providing proper notice has been posted in the locker areas of each building.
- G. Search of a student's person or intimate personal belongings shall be conducted in the presence of a staff member and/or a law enforcement officer, and if feasible, one should be of the same gender as the student.
- H. The Board also authorizes the use of canines, trained in detecting the presence of drugs and paraphernalia or devices, when the Superintendent has reasonable suspicion that illegal drugs or devices may be present in a school. The means of detection shall be used only to determine the presence of drugs in places where such substances can be concealed in locker areas and other places on school property where such substances could be concealed. Canine detection will be conducted by law enforcement authorities or with organizations certified in canine detection and is not to be used to search individual students unless a warrant has been obtained prior to the search. with specific training in the field of canine handling and detection. The Board has adopted the use of specially trained single purpose canines to be utilized for this purpose around FL-BREVARD-23-1239-A-000577

- students and/or staff. District Security reserves the authority to request canines specifically trained in explosive detection, search and rescue, or other disciplines when circumstances justify the need.
- I. Except as provided below, a request for the search of a student or a student's possessions will be directed to the principal or designee who shall first seek the freely offered consent of the student to the inspection. However, consent is not required for search subject to reasonable suspicion. Whenever possible, a search will be conducted by the principal or designee, in the presence of the student, another staff member, and/or a law enforcement officer. A search prompted by the reasonable suspicion belief that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect persons and property and consent is not a requirement. If the search is for weapons, the District's Active Assailant Response Procedures shall be relied upon as a guide. Refusal of a reasonable suspicion search will be presumptive confirmation of violation to be handled pursuant to the disciplinary guidelines of the Code of Student Conduct.
- J. Any search of a student's personal belongings, including a purse, backpack, or bookbag, must be conducted discreetly to maintain the privacy of the student's personal items within such belongings. Personal items that are not prohibited on school grounds must be immediately returned to the student's personal belongings.
- K. The principal or designee shall be responsible for the prompt recording in writing of each student search, including the reasons for the search; information received that established the need for the search and the name of the witness informant, if known any; the persons present when the search was conducted; any substances or objects found; and the disposition made of them. The principal or designee will make a reasonable attempt to notify the parent/legal guardian(s) of a student subject to search and will document these attempts. The school resource officer or local law enforcement officer shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a student.
- L. The principal or designee may arrange for a breath test for blood alcohol to be conducted on the student whenever the principal or designee has individualized reasonable suspicion to believe the student has consumed alcoholic beverages.
- M. The Superintendent shall prepare administrative procedures to implement this policy.

Revised 6/30/20

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Legal References

F.S. 901.21

F.S. 933.07

F.S. 1006.09(9)

Fla. Const. Art. I, Sec. 2

U.S. Constitution, 4th Amendment

Legal F.S. 901.21

F.S. 933.07

F.S. 1006.09(9)

U.S. Constitution, 4th Amendment

Florida Const. Art. I, Section 2

Last Modified by Christopher Reed on January 8, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title STUDENT RIGHTS/PARENT RIGHTS

Code \*po5780 12.15.2023 JJ

Status

Adopted May 1, 2002

Last Revised December 13, 2022

### **5780 - STUDENT RIGHTS/PARENT RIGHTS**

### A. General

- 1. The Board recognizes that students possess not only the right to an education but the rights of citizenship as well. Federal and State law prohibits the Board from adopting any policy or rule, or from entering into any agreement, that infringes upon or waives the rights of freedoms afforded to students by the United States Constitution.
- 2. In providing students the opportunity for an education to which they are entitled, the District shall attempt to offer nurture, counsel, and custodial care appropriate to their age and maturity. The District shall, at the same time, guarantee that no student is deprived of the basic right to equal treatment and equal access to the educational program, due process, a presumption of innocence, free expression and association, and the privacy of his/her own thoughts.
- Attendant to the rights guaranteed to each student, however, are certain responsibilities, which include respect for the rights of others, obedience to properly constituted school authority, and compliance with the procedures and rules of the District.
- 4. The Board realizes that as students differ in age and maturity, so they differ in ability to handle both the rights of citizens and the concomitant responsibilities. The exercise of each right shall be granted, therefore, with due regard for the degree of responsibility possessed by the student and the student's need for the continuing guidance and control of those responsible for his/her education.
- 5. Since a student who has reached the age of majority possesses the full rights of an adult, they may authorize those school matters previously handled by their parent/legal guardians, but they also assume the responsibility for their performance in school, attendance, and compliance with school rules.
- 6. All K-12 students in Florida are entitled to a uniform, safe, secure, efficient, and high-quality system of education, one that allows students the opportunity to obtain a high-quality education. Parent/Legal guardians are responsible to ready their children for school; however, neither the State of Florida nor the District can be a guarantor of any individual student's success.

### B. Parent/Legal Guardian Access at School

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

- 1. Both parent/legal guardians have an equal right to make decisions about the education and welfare of their student unless the school has received a certified copy of an enforceable court order that specifies that one of the parent/legal guardians, or someone else, has the sole right to make educational and/or general welfare decisions for the student.
- 2. If the parent/legal guardians cannot agree on a significant decision about the student's education or on matters affecting the health, safety, or welfare of the student, and there is not a certified copy of an enforceable court order, the school will take action based on what it considers to be in the best interests of the child.

### D. Attendance

### 1. Termination of Enrollment

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

### 2. Married or Pregnant

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

### 3. Compulsory Attendance

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

### 4. Absence for Religious Purposes

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

# 5. Dropout Prevention and Academic Intervention Programs

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

### 6. Absence for Treatment of Autism Spectrum Disorder

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

# E. Health Issues

### 1. Notice of Health Care Services

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

### 2. School-Entry Health Examinations

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

### 3. Immunizations

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

### 4. Biological Experiments

Parent/legal guardians may request that their child be excused from performing surgery or dissection in biological science classes

5. Reproductive Health and Disease Education

teaching of reproductive health or any disease, including HIV/AIDS. (see also Policy 2417 - Comprehensive Health Education)

6. Contraceptive Services to Students

Students may not be referred to or offered contraceptive services at school facilities without the parent's consent 7. Career Education Courses Involving Hazardous Substances

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

8. Substance Abuse Reports

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

9. Inhaler Use

Asthmatic students whose parent and physician provide their approval to the school Principal may carry a metered dose inhaler on their person while in school. The school Principal shall be provided a copy of the parent's and physician's approval. (see also Policy 5330.01 - Self-Administered Medication and Epinephrine Use)

10. Epinephrine Use and Supply

A student who has experienced or is at risk for life-threatening allergic reactions may carry an epinephrine autoinjector and self-administer epinephrine by auto-injector while in school, participating in school-sponsored activities, or in transit to or from school or school-sponsored activities if the school has been provided with written parental and physician authorization.

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

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

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

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

12. Diabetes Management

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

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

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

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

1. Biological Experiments

Parent/legal guardians may request that their child be excused from performing surgery or dissection in biological science classes.

2. Reproductive Health and Disease Education

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

### 3. Contraceptive Services to Students

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

#### 4. Career Education Courses Involving Hazardous Substances

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

### 5. Substance Abuse Reports

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

### 6. Inhaler Use

Asthmatic students whose parent/legal guardian and physician provide their approval to the school Principal may carry a metered dose inhaler on their personont family: Verdana, Geneva, sans serif; ">The District may not assign a student who has diabetes to a particular school on the basis that the student has diabetes, that the school does not have a full time school nurse, or that the school does not have trained diabetes personnel.

- 7. Diabetic students whose parent/legal guardian and physician provide their written authorization to the school Principal may carry diabetic supplies and equipment on their person and attend to the management and care of their diabetes while in school, participating in school-sponsored activities, or in transit to or from school or school-sponsored activities, to the extent authorized by the parent/legal guardian and physician and within the parameters set forth by State Board of Education rule. The written authorization shall identify the diabetic supplies and equipment that the student is authorized to carry and shall describe the activities the child is capable of performing without assistance, such as performing blood glucose level checks and urine ketone testing, administering insulin through the insulin delivery system used by the student, and treating hypoglycemia and hyperglycemia.
- 8. The District and its employees and volunteers shall be indemnified by the parent/legal guardian of a student who is authorized to carry diabetic supplies or equipment for any and all liability with respect to the student's use of such supplies and equipment pursuant to this policy.

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

### 12. Use of Prescribed Pancreatic Enzyme Supplements

a. A student who has experienced or is at risk for pancreatic insufficiency or who has been diagnosed as having cystic fibrosis may carry and self-administer a prescribed pancreatic enzyme supplement while in school, participating in school-sponsored activities, or in transit to or from school or school-sponsored activities, IF the school has been provided with written authorization from the student's parent/legal guardian and prescribing practitioner.

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

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

### 13. Involuntary Examinations of Students

- a. Before a Principal contacts a law enforcement officer for possible removal of a student from school for involuntary examination, the Principal must verify that the school has used de-escalation strategies and initiated outreach to a mobile response team, unless the Principal reasonably believes that any delay in removing the student will increase the likelihood of harm to the student or others.
- b. The Principal shall make a reasonable attempt to notify a parent/legal guardian of a student before the student is removed from school, school transportation, or a school-sponsored activity to be taken to a receiving facility for an involuntary examination pursuant to F.S. 394.463. Reasonable attempt to notify means the exercise of reasonable diligence and care by the Principal to make contact with the student's parent/legal guardian, guardian, or other known emergency contact whom the student's parent/legal guardian has

authorized to receive notification of an involuntary examination. At a minimum, the Principal must take the following actions:

- i. Use available methods of communication to contact the student's parent/legal guardian, guardian, or other known emergency contact including, but not limited to, telephone calls, text messages, e-mails, and voicemail messages following the decision to initiate an involuntary examination of the student;
- ii. Document the method and number of attempts made to contact the student's parent/legal guardian, quardian, or other known emergency contact, and the outcome of each attempt.
- c. The Principal who successfully notifies any other known emergency contact may share only the information necessary to alert such contact that the parent/legal guardian or caregiver must be contacted. All such information must be in compliance with Federal and State law.
- d. The Principal may delay the required notification for no more than twenty-four (24) hours after a student is removed if:
  - i. the Principal deems the delay to be in the student's best interest and if a report has been submitted to the central abuse hotline, pursuant to F.S. 39.201, based upon knowledge or suspicion of abuse, abandonment, or neglect (see also Policy 2410 School Health Services); or
  - ii. the Principal reasonably believes that such delay is necessary to avoid jeopardizing the health and safety of the student.

### 14. Sun-protective Measures in School

A student may possess and use a topical sunscreen product while on school property or at a school-sponsored event or activity without a physician's note or prescription if the product is regulated by the United States Food and Drug Administration for over-the-counter use to limit ultraviolet light-induced skin damage.

15. Face Covering and Quarantine Mandates in Response to COVID-19

Neither the Board nor any agent or employee of the Board may:

 require a student to wear a face mask, a face shield, or any other facial covering that fits over the mouth or nose. However, a parent, at the parent's sole discretion, may allow their child to wear a face mask, a face shield, or any other facial covering that fits over the mouth or nose;

This prohibition does not apply to safety equipment required as part of a course of study consistent with occupational or laboratory safety requirements. See Policy 8450.01, *Protective Facial Coverings During Pandemic/Epidemic Events*.

- prohibit a student from attending school or school-sponsored activities, prohibit a student being on school property, or subject a student to restrictions or disparate treatment, based on an exposure to COVID-19, so long as the student remains asymptomatic and has not received a positive test for COVID
- 16. Medication to Relieve Headaches

A student may possess and use a medication to relieve headaches while on school property or at a school-sponsored event/activity without a physician's note or prescription if the medication is regulated by the United States Food and Drug Administration for over-the-counter use to treat headaches

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

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

# F. Discipline

## 1. Suspension

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

Education rules.

### 2. Expulsion

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

### G. Safety

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

### H. Educational Choice

### 1. Public School Choices

Parent/legal guardians may seek whatever public school options are applicable and available to students in the School District.

These options may include:

- a. controlled open enrollment
- b. virtual instruction programs through Brevard Virtual School
- c. charter schools
- d. magnet schools
- e. alternative schools
- f. special programs
- g. auditory-oral education programs
- h. advanced placement
- i. dual enrollment
- j. International Baccalaureate
- k. International General Certificate of Secondary Education (pre-AICE)
- I. CAPE digital tools
- m. CAPE industry certifications
- n. collegiate high school programs
- o. Advanced International Certificate of Education
- p. early admissions
- q. credit by examination or demonstration of competency
- r. the Florida School for the Deaf and the Blind
- s. the Florida Virtual School

Options also include the public educational choice options of the Hope Scholarship Program (see Policy 2371 - *Hope Scholarships*), the Opportunity Scholarship Program, the McKay Scholarships for Students with Disabilities Program, the Family Empowerment Scholarship Program, and the Florida Tax Credit Scholarship Program. (see also Policy 2370 - *Educational Options*)

### 2. Private School Choices

Parent/legal guardian may seek private educational choice options under certain programs established under F.S. Chapter 1002.

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

#### 4. Private Tutoring

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

#### 5. Reading Scholarships New Worlds Scholarships

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

By September 30th of each year, the District will notify the parent/legal guardian of each student in kindergarten through 5 who has a substantial reading deficiency identified under F.S. 1008.25(5)(a) or scored below a level 3 on the Statewide, standardized ELA assessment in the prior school year of the process to request and receive a reading scholarship, subject to available funds The parent of a student in kindergarten through grade 5 who (1) has a substantial reading deficiency identified under F.S. 1008.25(5)(a) or scored below a Level 3 on the Statewide, standardized English Language Arts (ELA) assessment in the prior school year or (2) has a substantial deficiency in mathematics or the characteristics of dyscalculia as identified under F.S. 1008.25 or scored below a Level 3 on the Statewide, standardized Mathematics assessment in the prior school year may seek a reading scholarship in accordance with State law.

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

### 6. Request to Transfer to Different Classroom Teacher

Although parents do not have a right to choose a specific classroom teacher, parents may request that their child be transferred to a different classroom teacher. As part of the request, the parent must state with specificity the grounds supporting the request. Requests must be in writing utilizing Form 5780 F2. A completed, signed Form 5780 F2 must be provided to

All requests for a student to be transferred to another classroom teacher shall be considered by the Principal or his/her designee. Within two (2) weeks of receiving a completed Form 5780 F2, the Principal shall notify the parent in writing as to whether the request is approved or denied. If denied, the Principal or his/her designee shall specify the reasons for the denial.

### 7. Request to Transfer to In-Field Classroom Teacher

A parent whose student is assigned an out-of-field teacher may request that their child be transferred to an in-field classroom teacher within the school and grade in which the student is currently enrolled. Although parents do not have a right to choose a specific classroom teacher, parents may request that their child be transferred. As part of the request, the parent must complete Form 5780 F3. A completed, signed Form 5780 F3 must be provided to

All requests for a student to be transferred to another classroom teacher shall be considered by
\_\_\_\_\_\_\_. Within two (2) weeks of receiving a completed Form 5780 F3, the
\_\_\_\_\_\_\_ shall notify the parent in writing as to whether the request is approved or denied.

If an in-field teacher for the student's course and grade level is employed by the school and the transfer would not violate maximum class size requirements, the request shall be approved. The student shall be transferred no later than two (2) weeks from the date Form 5780 F3 is received.

If denied, the \_\_\_\_\_ shall specify the reasons for the denial.

### I. ACCEL Options

8.

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

J. Nondiscrimination

orientation, transgender status, or gender identity consistent with Policy 5517), disability (including HIV, AIDS, or sickle cell trait), pregnancy, marital status, age (except as authorized by law), religion, military status, ancestry, or genetic information, which are classes protected by State and/or Federal law (collectively, protected classes). (see also Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity and Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability)

#### K. Exceptional Students

#### 1. Notice and Due Process

Parent/legal guardians of students with disabilities and parent/legal guardians of students in residential care facilities are entitled to notice and due process. (see also Policy 2460 - Exceptional Student Education)

#### 2. Graduation

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

### 3. Meetings with District Personnel

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

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

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

#### a. Blind Students

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

#### b. Limited English Proficient Students

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

## c. Students with Reading Deficiencies

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

Students with Substantial Reading and/or Mathematics Deficiencies

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

In accordance with F.S. 1008.25 parent of (1) any K 3 student who exhibits a substantial reading deficiency or the characteristics of dyslexia or (2) any K 4 student who exhibits a substantial deficiency in mathematics or the characteristics of dyscalculia shall immediately be provided written notification and monthly progress reprots as required in F.S. 1008.25.



a.

TheIn accordance with F.S. 1008.25 parent of (1) any K-3 student who exhibits a substantial reading deficiency or the characteristics of dyslexia or (2) any K-4 student who exhibits a substantial deficiency in mathematics or the characteristics of dyscalculia shall be immediately notified of the student's deficiency with a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in reading; shall be consulted in the development of a progress monitoring plan; and shall be informed that the student will be given intensive reading instruction until the deficiency is corrected immediately be provided written notification and monthly progress reports as required in F.S. 1008.25

#### Students with Substantial Math Deficiencies

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

### L. Pledge of Allegiance

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

#### M. Student Records

- 1. Each parent/legal guardian has an equal right of access, right to waive access, right to challenge and hearing and right of privacy in the education records of their student who is a minor or a dependent adult pursuant to law, unless the school has received a certified copy of an enforceable court order that provides to the contrary. (see also Policy 8330 Student Records)
- 2. A student is not required to provide their social security number as a condition for enrollment or graduation. (see also Policy 8330 Student Records)
- 3. The school will not collect, obtain or retain information on the political affiliation, voting history, religious affiliation or biometric information of a student, parent/legal guardian or siblings.

### N. Student Report Cards

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

# O. Student Progress Reports

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

# P. Student Accountability and School Improvement Rating Reports

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

### Q. High School Athletics

# 1. Eligibility

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

#### 2. Medical Evaluation

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

FL-BREVARD-23-1239-A-000587

#### R. Extra-Curricular Activities

#### 1. Eligibility

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

## 2. Home Education Students

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

### 3. Charter School Students

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

### 4. Florida Virtual School Full-Time Students

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

### S. Instructional Materials

### 1. Core Courses

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

### 2. Curricular Objectives

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

### 3. Sale of Instructional Materials

Upon request of the parent/legal guardian of a student, the Principal will sell to the parent/legal guardian any instructional materials used in the school.

### 4. Dual Enrollment Students

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

#### 5. Parent/Legal Guardian Access to Instructional Materials

Parent/Legal guardians have the ability to access their child's instructional materials and may object to the use of a specific instructional material or contest the adoption of instructional material (See Policy 2520, Selection and Adoption of Instructional Materials and Policy 2521, Instructional Materials Program).

# T. Juvenile Justice Programs

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

# U. Parent/Legal Guardian Input and Meetings

### 1. Meetings with School District Personnel

Parent/legal guardians may be accompanied by another adult of their choice at a meeting with School District personnel.

# 2. District Educational Facilities Program

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

### 3. Parent/Legal Guardian-Teacher Associations and Organizations

Parent/Legal guardians have the right to participate in parent/legal guardian-teacher associations and organizations that are sanctioned by the Board or by the Florida Department of Education.

#### V. <u>Transportation</u>

#### 1. Transportation to School

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

### 2. Hazardous Walking Conditions

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

### 3. Parent/Legal Guardianal Consent

Each parent/legal guardian of a public school student must be notified in writing and give written consent before the student may be transported in a privately owned motor vehicle to a school function in accordance with State law. (see also Policy 8660 - Transporting Students by Private Vehicles)

### W. Orderly, Disciplined Classrooms

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

### X. Economic Security Report

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

### Y. Safe Schools

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

- 1. Weapons possession or use when there is intended harm toward another person;
- 2. Murder, homicide, or manslaughter;
- 3. Sex offenses, including rape, sexual assault or sexual misconduct with a student by school personnel;
- 4. Natural emergencies, including hurricanes, tornadoes, and severe storms.
- 5. Exposure as a result of a manmade emergency.

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

### Z. Parental Notification of Arrests of Employees

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

Revised 7/22/14 Revised 2/8/22 Revised 12/13/22

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F.S. 394.463

- F.S. 1000.05
- F.S. 1002.20
- F.S. 1002.22
- F.S. 1002.385
- F.S. 1002.39
- F.S. 1002.395
- F.S. 1002.40
- F.S. 1002.41
- F.S. 1002.411
- F.S. 1002.43
- F.S. 1003.01(13)
- F.S. 1003.02
- F.S. 1003.21
- F.S. 1003.22
- F.S. 1003.3101
- F.S. 1003.32
- F.S. 1003.42
- F.S. 1003.44
- F.S. 1003.4505
- F.S. 1003.47
- F.S. 1003.52
- F.S. 1003.53
- F.S. 1003.55
- F.S. 1003.56
- F.S. 1003.57
- F.S. 1003.58
- F.S. 1006.062(7)
- F.S. 1006.07
- F.S. 1006.09
- F.S. 1006.13
- F.S. 1006.15
- F.S. 1006.20
- F.S. 1006.21
- F.S. 1006.22
- F.S. 1006.23
- F.S. 1006.28
- F.S. 1006.40
- F.S. 1007.271
- F.S. 1008.22
- F.S. 1008.25
- F.S. 1008.386
- F.S. 1012.42







Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title Parent.Student Rights - Parents' Bill of Rights

Code \*\*po5780.01 JJ; PG 12-20-23

Status

### 5780.01 - PARENTS' BILL OF RIGHTS

As required by F.S. 1014.01 through 1014.06, the Board adopts this policy titled, Parents' Bill of Rights.

For purposes of this policy, parent means a person who has legal custody of a minor child, as a natural or adoptive parent, or a legal guardian.

Pursuant to F.S. 1014.01 through 1014.06, parental rights include, but are not limited to, the following:

### A. Educational Choice

To apply to enroll their minor child in public school, private school, religious school, home education or other options that are available.

### B. School Records

To access and review all school records pertaining to their minor child.

### C. Health Care Decisions

To make health care decisions for their minor child, unless otherwise prohibited by law.

### D. Medical Records

To access and review all medical records of their minor child, unless prohibited by law or if the parent is the subject of an investigation of a crime committed against the minor child and a law enforcement agency or official requests that the information not be released.

# E. Biometric Scans

To give their prior written consent before a school employee makes, stores or shares any biometric scan of their minor child.

### F. Record of blood or DNA

To give their consent in writing before a school employee creates, stores or shares any record of their minor child's blood or deoxyribonucleic acid (DNA), except as required by general law or authorized pursuant to a court order.

# G. Video/Voice Recordings

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:

1. A safety demonstration, including the maintenance of order and discipline in the common areas of a school or on student transportation vehicles;

2. A purpose related to a legitimate academic or extra-curricular activity;

- 3. A purpose related to regular classroom instruction;
- 4. Security or surveillance of buildings or grounds; or
- 5. A photo identification card.

(See also Policy 2461 - Recording of IEP Team Meetings, Policy 7440.01 - Video Survellience)

### H. Criminal Offenses

To be notified promptly if a school employee suspects that a criminal offense has been committed against their minor child, unless the incident has first been reported to law enforcement or the Department of Children and Families and notifying the parent would impede the investigation.

The parental rights listed above do not prohibit or impede child welfare activities when performed by a court of competent jurisdiction, law enforcement officer or employees of a government agency.

This policy does not authorize a parent of a minor child to engage in conduct that is unlawful or to abuse or neglect their minor child in violation of general law. (See Policy 8462 - Student Abuse, Abandonment, and Neglect)

Any employee of the district may be subject to disciplinary action if the employee encourages, coerces, or attempts to encourage or coerce, a minor child to withhold information from the minor child's parent.

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Legal References F.S. 1002.20

F.S. 1014.02

F.S. 1014.04

Last Modified by Paul Gibbs on December 20, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title UNIFORM RECORDS AND ACCOUNTS

Code \*po6100; RM 01.11.24

Status

Adopted May 1, 2002

Last Revised October 28, 2014

### 6100 - UNIFORM RECORDS AND ACCOUNTS

The Board and the Superintendent, are required to keep adequate records and accounts for all financial transactions as established by the State publication *Financial and Program Cost Accounting and Reporting for Florida Schools*. This publication establishes a uniform structure including fund, revenue, and expenditure classifications. Generally Accepted Accounting Principles (GAAP) and Governmental Accounting Standards Board (GASB) provide the foundation for financial accounting and reporting for school districts. Additionally, the Board and Superintendent shall establish and maintain internal controls designed to:

- A. A.—prevent and detect fraud, waste, and abuse as defined in F.S. 11.45(1);
- B. B.—promote and encourage compliance with applicable laws, rules, contracts, grant agreements, and best practices;
- C. C.—support economical and efficient operations;
- D. D.—ensure reliability of financial records and reports; and
- E. <del>E. </del>safeguard assets.

### Method of Accounting

All funds accounted for shall be allocated according to the budget and as required by law or rules of the State Board of Education. The District's system of accounting shall comply with all requirements of the Governmental Accounting Standards Board, Statement No. 54 (GASB 54). In accordance with GASB 54, the District will report its fund balance in the following categories:

- A. Nonspendable fund balance that is, amounts that are not in a spendable form (such as inventory) or are required to be maintained intact (such as the corpus of an endowment fund).
- B. Restricted fund balance amounts constrained to specific purposes by their providers (such as grantors, bondholders, and higher levels of government), through constitutional provisions, or by enabling legislation.
- C. Committed fund balance amounts constrained to specific purposes by the Board; to be reported as committed, amounts cannot be used for any other purpose unless the Board takes action to remove or change the constraint.
- D. Assigned fund balance amounts the Board intends to use for a specific purpose; intent can be expressed by the Board or by an official or committee to which the Board delegates the authority.
- E. Unassigned fund balance amounts that are available for any purpose; these amounts are reported only in the general fund.

The Board authorizes the auditors and directs its administrative staff to take all steps necessary to comply with the requirements of GASB 54. All revenue and funds will be designated to one of the above categories. Further, the Board delegates the responsibility of assigning funds to certain projects to the Superintendent. Assignments may occur subsequent to fiscal year-end.

# <u>Audits</u>

The District's financial records shall be audited at least annually by an independent CPA firm or the Auditor General. These audits shall be based on generally accepted auditing standards, Federal and State laws and regulations, District policies, and the *Manual of Internal Accounting* adopted by the Board.

The Board authorizes the auditors and directs its administrative staff to take all steps necessary to comply with the requirements of GASB 54. All revenue and funds will be designated to one of the above categories.

Further, the Board delegates the responsibility of assigning funds to certain projects to the Superintendent. Assignments may occur subsequent to fiscal year end.

### <u>Inventory</u>

All warehouse stock shall be inventoried annually to ensure adequate control and inventory.

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Legal <u>F.S. 1001.42</u>

F.S. 1001.51

Last Modified by Dania Declue on January 12, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title ELECTRONIC FUNDS TRANSFERS

Code \*po6107.01 AMS 1.12.24

Status

Adopted September 24, 2013

Last Revised October 28, 2014

### 6107.01 - ELECTRONIC FUNDS TRANSFERS

### **Purpose**

The purpose of this policy is to set forth objectives for the management and oversight of electronic funds transfers (ETFs) and refers to the movement of funds into, out of, and between District bank accounts. Electronic transfers include direct deposit, wires transfers, withdrawal, investment, -automatic clearinghouse (ACH), or any other method that may be developed and implemented by financial institutions for the purposes of transferring funds between District accounts or between financial institutions on behalf of the District. Movement of District funds by electronic means shall comply with F.S. 668.

# **Internal Controls and Delegation of Authority**

The oversight of the electronic funds transfers resides with the Associate Superintendent of Financial Services Chief Financial Officer (CFO), Director of Accounting Services and Accounting Manager. A system of internal controls and operational procedures has been established to manage the funds transfer process and the reconciliation of bank accounts. Staff will exercise internal controls and the separation of duties while performing the funds transfers and cash management functions. Independent auditors, as part of the District's financial audits, will review the system of internal controls and compliance with the operational procedures and with this policy.

### Scope

Board funds shall be electronically transferred for the following purposes:

- A. receipt of Board revenue from local, State, and Federal sources;
- B. settlement on investment transactions (e.g. purchases, sales, or principal and interest distributions);
- C. transfers between Board accounts as needed for legitimate funds management activities;
- D. payment of legitimate obligations, based upon legal or contractual requirements incurred in the course of Board business;
- E. payroll and other employee direct deposit payments.

### **Outgoing Electronic Funds Transfers**

Repetitive wire transfers are established by the Accounting Personnel, with the District's financial institution, using secure banking software which is password protected. The initial wire set up is approved by the Director of Accounting Services or the Associate Superintendent of Financial Services CFO. After the initial set up, and approval, repetitive transactions are initiated by accounting personnel and approved by an Fund Accountant, Accountant I, Accounting Supervisor, or Accounting Director. Individuals performing these duties cannot be an initiator and approver of a single transaction.

Non-repetitive wire transfers are required on rare occasions and may occur between District accounts or funds may be transferred to a non-district account. Transfers may be initiated by accounting personnel but must be approved by the Director of Accounting Services or Associate Superintendent of Financial Services CFO, in writing, prior to the initiation of the transfer. Individuals performing these duties cannot be an initiator and approver of one transaction.

International wire transfers are allowed only for foreign trips or programs as specifically approved by the Board. The transfers will be initiated by Accounting Services personnel and approved by the Director of Accounting Services or Associate Superintendent of Financial Services CFO prior to payment initiation and will be based only on specific amounts approved by Board action. Individuals performing these duties cannot be an initiator and approver of one transaction.

ACH transactions are allowed for the following transactions types:

- A. ACH debit transactions require funds to be retrieved from a Board bank account by the counterparty's financial institution and are prohibited, unless the counterparty to the transaction is another governmental entity or the transaction is required by a Board approved contract. Other ACH debit transactions may occasionally occur for approved and legitimate bank fees for items such as bank checks and/or deposit tickets. These will be monitored by Financial Services staff.
- B. ACH credit transactions require funds to be paid directly to an approved Board vendor's bank account. ACH credit transactions may be paid when required based on contractual obligations or when this method of payment is advantageous to the Board.
- C. Direct deposit payments of employees' wages or other direct payments will be initiated by payroll/accounting personnel in compliance with established accounting procedures.
- D. Individuals performing these duties cannot be an initiator and approver of one transaction.
- E. Other outgoing electronic funds transfers as established by the District's financial institution may be permitted, as long as transfers follow similar procedures as outlined above.

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Legal F.S. 668

F.S. 1001.42

F.S. 1001.43

F.S. 1001.51

Last Modified by Ronna Schindler on January 12, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title BORROWING - SHORT/LONG TERM

Code \*po6145; DD 01.12.24

Status

Adopted May 1, 2002

Last Revised October 28, 2014

# 6145 - BORROWING - SHORT/LONG TERM

Upon the approval of the Board, the Superintendent and Associate Superintendent of Financial Services the Chief Financial Officer shall prepare the data and applications regarding the borrowing of revenue anticipation notes, tax anticipation notes, and other such debt instruments. Once prepared, a recommendation shall be made to the Board for approval.

Funds shall be borrowed from the responsible public/private organization which offers the most favorable terms.

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Legal <u>F.S. 1011.12</u>

F.S. 1011.13

Last Modified by Dania Declue on January 12, 2024







Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title NONRESIDENT TUITION

Code \*po6150; DD 01/16/2024

Status

Adopted May 1, 2002

Last Revised October 28, 2014

### 6150 NONRESIDENT TUITION

The Board shall assess tuition for attendance in District schools by students who by law are not entitled to receive a free public education in this District.

Nonresident tuition rates shall be determined by the District based on information from the State. Rates will be available before the beginning of the school year or before the student's attendance commences. Charges shall be the maximum permitted by law.

The principal shall be responsible for the assessment and collection of tuition. Tuition billing may be assessed daily in advance of the period for which the billing is made.

When payment of tuition by a parent is more than thirty (30) days overdue, services may be terminated.

Revised 10/28/14

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Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title FUND BALANCE

Code \*po6235 DD 01.10.24 (Changed policy number from 6120 to 6235 per Board Rec)

Status

Adopted May 1, 2002

Last Revised October 28, 2014

### 6120 - FUND BALANCE

The Board understands that the financial stability of the District is key to attaining its vision, mission, organizational values, and operational beliefs. Additionally, the Constitution of the State of Florida requires that school districts operate under a balanced budget.

There are many unforeseen conditions which can impact both increases and decreases in revenues and expenditures thereby impacting the financial stability of the District. To ensure the financial strength and stability of the District, the Board is committed to maintaining a fund balance of three and one-half percent  $(3\ 1/2\%)$  of the District's General Fund revenue to be reserved for contingencies.

Each year the Board's adopted budget shall include a reserve for contingencies of not less than three percent (3%) of the District's General Fund revenue. Should an increase or decrease in projected revenues or expenditures occur following the adoption of the budget the Board may by majority vote use its contingency reserve to balance its current revenue and expenditures. In the event the contingency reserve decreases to less than three percent (3%) of the District's General Fund revenue, the Superintendent shall prepare for Board approval a financial plan and timeline to restore the reserve to the minimum amount set forth herein.

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Legal <u>F.S. 1001.43</u>

F.S. 1001.51 F.S. 1011.18

Last Modified by Ronna Schindler on January 10, 2024







Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title PAYMENT OF CLAIMS

Code \*po6470; DD 01.12.24

Status

Adopted May 1, 2002

Last Revised October 28, 2014

### 6470 - PAYMENT OF CLAIMS

The Board directs the prompt payment of legitimate claims by suppliers of goods and services to the District. Authorization for such payments shall be deemed approved by the School Board if within amounts approved in the Board-adopted District budget or amendment thereto. In cases of expenditures exceeding approved purchasing limits, specific Board approval is required and shall be reflected in Board minutes.

Each bill or obligation of this Board must be fully itemized, and verified before a voucher can be drawn for its payment.

When an invoice is received, accounts payable personnel shall verify that a voucher is properly submitted and that the amount of the invoice is correct.

The originator of the purchase order shall verify that acceptable goods were received and/or satisfactory services were rendered and indicate the date of receipt.

Revised 10/28/14

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Legal <u>F.S. 1001.43</u>

F.S. 1011.10

Last Modified by Dania Declue on January 12, 2024







Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title EXPENDITURES

Code \*po6480; DD 01.12.24

Status

Adopted May 1, 2002

Last Revised September 27, 2016

### 6480 - EXPENDITURES

Expenditures from District and all other funds available for the public school program shall be authorized by law and procedures prescribed by the Board. The Board may permit expenditures to exceed the amount budgeted by function and object, provided the expenditure complies with F.S. 1011.09(4). Such an expenditure may be approved so long as the Board amends the budget and provides a full explanation of any amendments at the next scheduled Board meeting. Furthermore, expenditures from District funds and all other funds available for the public school program shall not be made as a donation to any organization that is not directly affiliated with the District, unless said funds were collected expressly for that purpose.

### A. Accounts Payable

The payment of purchase orders, contracts, invoices, and utilities shall be made in accordance with the approved budget and pursuant to State statutes.

### B. Pavroll Procedures

- 1. No payment shall be made except to properly authorized and approved personnel.
- 2. Payments shall be based upon a Board-adopted salary schedule for each position.
- 3. Employees shall be paid on a semi-monthly basis.
- 4. Salary adjustments shall be paid on subsequent payroll periods. Persons terminating shall be paid their full salary or wage balance on the regular payroll period following their termination. An extreme exception must be approved by the Superintendent or his/her designated representative in writing.
- 5. Principals and department heads shall be responsible for submitting accurate payroll records in accordance with established time schedules and procedures.
- 6. Employees shall be paid by direct deposit except in limited circumstances.

### C. Overtime Payment

- 1. Authorization to work overtime must be by prior approval of the department head or principal.
- 2. Overtime compensation shall be paid as approved by the Board.

## D. Petty Cash Funds

Schools may establish petty cash funds for making expenditures for certain low cost incidental items. The Superintendent or his/her designee must approve each fund and the job title of the person with primary responsibility to monitor these funds. Such funds shall be administered pursuant to regulations approved by the Superintendent.

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Revised 4/10/07 Revised 4/27/10 Revised 10/28/14 Revised 9/27/16

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Legal <u>F.S. 1001.43</u>

F.S. 1001.51 F.S. 1012.22 F.A.C. 6A-1.014

Last Modified by Dania Declue on January 12, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title REEMPLOYMENT ASSISTANCE (Name change from Unemployment Compensation)

Code \*po6530; DD 01.11.24

Status

Adopted May 1, 2002

Last Revised October 28, 2014

# 6530 - UNEMPLOYMENT COMPENSATION

The Board recognizes that it has a responsibility to comply fully with the State of Florida's reemployment statute. Accordingly, the payroll manager Payroll Director shall submit the required quarterly reports to the Internal Revenue Service, Social Security Administration, and the State of Florida's Department of Revenue to ensure said statutory compliance.

When an employee applies for reemployment assistance, the Office of Risk Management shall investigate and provide documentation to the Florida Department of Economic Opportunity that will enable the Department to approve or deny the payment of benefits. Risk Management is responsible for oversight of the entire claim process including payment of claims.

Revised 10/28/14

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Legal F.S. 443.036

F.S. 443.191

Last Modified by Dania Declue on January 11, 2024







Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title AUTHORIZED TRAVEL REIMBURSEMENTS

Code \*po6550; DD 01.12.24

Status

Adopted May 1, 2002

Last Revised October 28, 2014

# **6550 - AUTHORIZED TRAVEL REIMBURSEMENTS**

### A. In-County Travel

Travel on official business performed within Brevard County by Board members, Superintendent, District employees, and authorized persons, shall be reimbursed at the maximum Federal prescribed rate. Said mileage shall be reimbursed according to the District's travel procedures. Reimbursable in-county travel for Board members is defined as that travel performed to attend any and all meetings where there is a quorum of members required to be present and that travel performed by individual members to conduct specific functions at the explicit instructions of the Board.

# **B. Out-of-County Travel**

# In Advance

When approved in advance, expenditures (with the exception of mileage) for out-of-county and out-of-state travel for Board members, employees, and authorized representatives of the District shall be paid at the rate allowed by State law. Copies of all pertinent receipts as indicated in the District's travel procedures must be attached to the traveler's request for reimbursement. Mileage shall be reimbursed at the maximum Federal prescribed rate according to the District's travel procedures. In the case of financial hardship, advancement of funds for travel may be approved by the Superintendent or his/her designee. Such advancements shall be limited to the estimated cost of out-of-pocket expenses (taxi/shuttle, meals, mileage, etc.) for the travel period covered by an appropriate leave form.

# C. Out-of-County Travel Defined for Board Members

Reimbursable out-of-county and out-of-state travel for Board members is defined as that travel approved in advance for the specific Board member to attend meetings or to conduct specific functions. If prior approval at a Board meeting is not possible in time to attend a meeting, the Chairman may grant approval contingent upon Board approval at the next meeting.

### D. Travel Costs Paid or Reimbursed from Federal Funds

Travel payment and reimbursement provided from Federal funds must be authorized in advance and must be reasonable and consistent with the District's travel policy and administrative guidelines. For travel paid for with Federal funds, the travel authorization must include documentation that demonstrates that (1) the participation in the event by the individual traveling is necessary to the Federal award; and (2) the costs are reasonable and consistent with the District's travel policy.

# E. Participation in Virtual Trainings and Conferences

Participation in virtual trainings and conferences may be considered part of an employee's performance of their official duties when all of the following apply:

- 1. The main purpose of the virtual training or conference is in connection with the official business of the District and directly related to the performance of the statutory duties and responsibilities of the employee participating.
- 2. The virtual training or conference provides a direct educational or other benefit supporting the work and public purpose of the participating employee.
- 3. The duties and responsibilities of the participating employee are compatible with the objectives of the virtual training or conference.

Revised 2/28/06 Revised 10/28/14

# © Neola 2002

Legal <u>F.S. 112.061</u>

F.A.C. 6A-1.056

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Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title INTERNAL ACCOUNTS

Code \*po6610 AMS 1.12.24

Status

Adopted May 1, 2002

Last Revised October 28, 2014

### 6610 - INTERNAL ACCOUNTS

Internal funds are those used by a school/department which are not under the direct supervision of the District through regular county school budget sources. They are administered by each individual school/department in accordance with policies of the Board, Administrative Rules, Florida statutes, and procedures adopted by the Board.

#### **Annual Audit**

### All Internal Accounts will be audited annually.

### A. Uniform Records and Accounts

Department heads and the principal of each school shall be responsible for the safe and proper handling of all monies collected and disbursed within the school and shall keep all accounts in accordance with regulations of the Board and State Board of Education and the Internal Accounts Procedures Manual. A complete and accurate record of each and every transaction and a suitable classification (chart of accounts) of all receipts and expenditures shall be kept on approved forms.

# B. Receipts of Monies Collected

All funds collected within the school or department for any purpose shall be deposited with the principal, department head, or designee, together with such substantiating records as may be required.

### C. Safekeeping of Monies, Certificates, and Bonds

All monies received shall be promptly deposited in a qualified public depository and provisions shall be made for the adequate safekeeping of all monies and other financial assets that may come into the possession of the school.

- 1. Funds shall be promptly deposited in the qualified public depository. Schools or departments shall make deposits within five (5) business days after receipt-or within three (3) business days after receipt if the funds on hand exceed \$200.00, excluding change and petty cash funds.
- 2. All funds received shall be recorded, banked, and reconciled to the proper receipts and accounts.

# D. Expenditures

All expenditures from school funds shall be made by check or electronic funds transfer, except that provision may be made by administrative procedures for the use of a small petty cash fund in each school where needed. Invoices or other approved substantiating evidence shall be required for all payments from school funds, including payments from petty cash. All checks are to be signed by two (2) persons, the principal and designee.

# 2. Regulations Concerning Expenditures

- a. Where expenditures require prior approval, the school should anticipate needs in time to permit processing and proper clearance of written authorization requests. Expenditures shall not be made until approved in writing by the principal. The principal or department head may designate their purchase order requisition approval authority to an administrator or manager under their supervision. Such designation shall not relieve the principal or department head of their fiscal responsibility for their assigned facility or facilities.
- b. Authorization for expenditures expire one (1) year after date of approval.
- c. No school internal fund shall be obligated for any student or teacher expenditure not previously approved in writing or purchase order by the principal or authorized designee. A principal shall be responsible for any expenditures made or approved by him/her which are not permissible under the laws and regulations of the State or policies of the Board.
- d. All purchasing and contract activities must be in compliance with Board Policy 6320 and Policy 6540.

# 3. Expenditures Requiring Prior Approval

The following is a list of expenditures requiring prior written authorization from the Superintendent or designee:

- a. All equipment which is to be attached to the buildings, or requires remodeling, including the installation of utility service other than that which presently exists in the building. Examples of such purchases are as follows: air-conditioning, ice machines, equipment which uses 220 current where only 110 service exists, those that require the installation of water or sewage lines, etc.
- b. Buildings, permanent attachments to buildings, or other structures.
- c. Bleachers, pavilions, playground equipment, or equipment involving risk to users.
- d. Services and purchase made for any employee of the District.
- e. Membership in and contributions to any noneducational organization.

#### 4. Expenditures Prohibited from Internal Funds

The following is a list of expenditures which cannot be made from internal funds.

- a. Professional books and magazines, except school professional libraries and personal memberships in professional organizations when purchased through trust funds to which employees contribute.
- b. Articles or services for personal use of Board employees or other persons.
- c. Equipment, supplies, and services for rooms and areas not used primarily for student body benefit, unless raised specifically through employees or other persons or authorized by a student organization.
- d. Wages or supplements to any persons engaged in regular part-time or temporary employment except as provided by the Board.
- e. Loans, credits, or accommodations to Board employees or other persons, including students except as provided in Policy 6550 Authorized Travel Reimbursement.
- f. Expenditures shall not be made as a donation to any organization that is not directly affiliated with the District, unless said funds were collected expressly for that purpose.

# 5. Cooperative Activities Permitted

The general provisions for cooperative activities for which internal funds are permissible are as follows:

- a. Outside groups. There shall be a definite written agreement between both parties.
- b. Collections for the School Board of Brevard County, Florida.
- c. Trust funds, drives, professional dues, etc.
- d. Foundation funds (donations by outside organizations or persons for a definite educational purpose).
- e. Flower and gift funds.

#### 6. Promotion and Public Relations Funding

The Superintendent or designee and principals are authorized to expend funds from a designated internal account for the purpose of promoting the school/department and for public relations.

Funds derived from auxiliary enterprises and undesignated gifts shall be disbursed in accordance with rules of the Board for such purposes as are deemed to be for the benefit of the District. Funds from auxiliary enterprises are defined as profits from enterprise type activities of the District, excluding food service activities, which may include, but are not limited to, vending machines, school stores, and other internal account fund profits not specifically designated for student or school level purposes and from funds received from other agencies making purchases from warehouse inventories in excess of the actual costs to the District.

Such funds shall be administered in accordance with procedures included in the Internal Accounts Procedures Manual.

### E. Fund Raising

All fund-raising projects and activities promoted by the school or any group within or connected with or in the name of the school, are to contribute to the educational experience of the students and shall not be in conflict with Board policies or the overall instructional program. Each fund-raising project using students to solicit must have the approval of the principal. Student body business functions should be conducted in such a way to offer the minimum competition to commercial firms. Accountability of fund-raising projects shall be in accordance with provisions of the Internal Accounts Procedures Manual.

# 1. Solicitation by Students

Personal or house-to-house solicitation by students is forbidden in all cases except as defined below:

- a. Junior or senior classes at the senior high school level are authorized to sell magazine subscriptions. Principals must furnish identification for students participating in these sales in order that persons may be assured of the students' connection with the school.
- b. Admission tickets may be sold by senior high schools to concerts and plays.
- c. Advertising may be sold on a once-a-year basis only for each high school annual; programs for the annual dramatic productions of the senior high schools; and the year's high school athletic program.
- d. Advertising may be sold by senior high school newspapers to provide marketing experience in the field of journalism for students with the approval of the principal.
- e. Sales by students at central points, which merely make available the merchandise to patrons who care to stop and buy, are permitted. The selection of a location for such sales shall be made with the safety of the student in mind.
- f. Students may only be requested to bring money to school for parent-teacher groups which will provide one of its parent members to receive membership dues.

### 2. Fund Benefits

Funds collected for the benefit of a specific student organization shall be expended for the benefit of said organization unless otherwise designated in minutes of the organization. General fund monies collected from the student body as a whole shall be expended to benefit students directly.

### 3. Commissions or Profits

Funds from commissions such as school pictures, etc., may be credited to the general fund or some designated account.

# 4. Sale of Food and Beverages

The sale of any food and beverages to students during the school day shall be conducted by the school food service program, except as provided herein.

- a. For purposes of this rule, the school day begins when the first student steps on campus and ends when the last bell rings.
- b. In all elementary schools, all food and beverage sales to students during the school day shall be through the food service program only.
- C. In all secondary schools, competitive foods and foods classified as having minimal nutritional value as defined by the United States Department of Agriculture shall not be sold to students apart from the food service program, except for one (1) hour following the close of the last lunch. The proceeds from such sales

may accrue to either the food service program, approved school organization, or the school's general internal fund. All other food sales shall only be through the food service program.

- d. In middle and Jr./Sr. high schools, water and 100% fruit juice may be sold one (1) hour following the close of the last lunch. Water and 100% fruit juice beverage machines inside the cafeteria or where meals are consumed may be left on all day provided that a portion of the proceeds from the sales accrue to the food service program. These machines should not include carbonated beverages.
- e. In high schools, water, 100% fruit juice, and isotonic beverages may be sold during the day where meals are not consumed. Water, 100% fruit juice, and isotonic beverage machines inside the cafeteria or where meals are consumed may be left on all day provided that a portion of the proceeds from the sales accrue to the food service program. These machines should not include carbonated beverages.

### 5. Profits from the Sale of Food and Beverages in Employee Work Areas

As a benefit to employees, principals and county-level department heads are authorized to approve the sale of food and beverages in areas accessible primarily to employees. Monies collected from these sales shall be deposited in the internal funds of schools and county-level departments. Profits from these sales may be expended for the benefit of employees or students according to procedures established in the Internal Accounts Procedures Manual.

# 6. Class or Club Accounts

- a. Authorization for all expenditures shall bear the approval of the principal.
- b. No account may be overdrawn at the end of the fiscal school year.
- c. Funds of off-campus clubs may not be processed through the school internal funds.
- d. After the class has determined the disposition of the balance any remaining balance of a graduating class shall be closed out to the general fund of that school or as clearly stated and documented in the minutes of the class meeting. Should any club become inactive, the unused balance may be closed out to the general fund after six (6) months.
- e. With the written approval of the principal, a school organization may set aside an amount for a specified future project which may materialize while members of the organization remain affiliated.
- f. These reserve funds shall follow the same internal accounting procedures as any other school funds.
- g. If the original purpose of the project becomes inoperative, the balance shall be transferred to the school general fund and may not be diverted to any other project.

#### F. Student Travel

#### 1. Advance Arrangements

When travel by students is necessary in the pursuance of an approved student activity, advance travel arrangements shall be made when possible. Advance arrangements shall include transportation, meals, registration or entrance fees, and lodging. Checks may be prepared in advance for the exact amount and payable to the corporation or proprietor providing the service. The faculty sponsor accompanying the students shall be the temporary custodian of the checks and responsible for obtaining an invoice for the exact amount of the check from the corporation or proprietor upon presentation of the check.

# 2. Advance to Sponsor

When advance arrangements for meals or lodging are impractical because service to be rendered is en route, or the student group is of such number to make prior knowledge of the exact number impossible, advancement may be made to the faculty sponsor for distribution to the students. Each student shall sign a signature sheet certifying that s/he received their meal or lodging allowance. In such situations, students are to be made aware of the amount of the allowances at least twenty-four (24) hours prior to travel departure so as to permit them to make adequate financial arrangements personally or with their parents.

# 3. Limits

Under no circumstances may the amount paid from District or internal funds be in excess of rates established in F.S. 112.

# G. Student Activity Funds

the organization members. The format of the budget shall be prescribed by the principal. Chief Financial Officer.

The Board authorizes the maintenance of approved student activity funds.

The Board authorizes the principal at each school to review and approve each expenditure from a student activity fund prior to disbursement. In approving an expenditure, the principal shall ensure that it is related to achieving one (1) or more of the stated purposes for which the student activity has been organized.

# Classes, Clubs, and Departments

The sponsor of each school club or organization is responsible for providing adequate financial documents and records to the principal and is responsible for retaining duplicates of said documents and records. These records may include an organization budget; duplicate receipts for all income from dues, fund-raising activities, entertainment, assessments, and donations; and approved requests for payment.

All collections received by any club or school organization must be deposited in the school internal fund.

All disbursements by any club or school organization must be made by an internal fund check or from an approved petty cash fund. Disbursements shall be approved by the appropriate organization officer (when the organization has officers), the sponsor, and the principal.

A fund-raiser reconciliation report shall be filed with the principal's office within 60 days of the close of each fund-raising activity as per the Internal Accounts Procedures Manual. To accommodate collection of data for this report, a separate account for the activity may be established.

The organization sponsor shall participate, along with the finance clerk, in the designation of transactions to be recorded in each of the organization's accounts.

Class and club monies shall be expended for the benefit of the class or club or for purposes designated by the class or club that participated in generation of the revenues.

- 1. Any remaining balance in the account of a class that has graduated shall be transferred to the general miscellaneous account at the discretion of the principal.
- 2. Any remaining balance in the account of an inactive student organization shall be considered as belonging to the general miscellaneous account and shall be closed after six (6) months.

Departments may be structured similarly to classes and shall conduct financial activities subject to the principles already outlined.

The principal shall ensure that all student activity funds are managed, recorded, and deposited in accordance with law and sound fiscal practice.

Revised 4/10/07 Revised 12/13/11 Revised 10/9/12 Revised 10/28/14

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Legal <u>F.S. 1001.43</u>

F.A.C. 6A-1.085

Last Modified by Ronna Schindler on January 12, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title COMMEMORATION OF SCHOOL FACILITIES

Code \*po7250 1/10/24 tjy

Status

Adopted May 1, 2002

Last Revised June 28, 2022

### 7250 - COMMEMORATION OF SCHOOL FACILITIES

The right to name or rename schools, parts thereof, and other District facilities shall be reserved for the Board. If the Board does not name the facility, the following process will commence.

#### I. General

For the purpose of this policy, the terms "name," "naming" and "renaming" shall be synonymous with "dedicate" and "dedicated."

- A. Names proposed shall be free from biases, prejudices and political and religious connotations. The naming shall not discriminate because of sex, race, sexual orientation, creed or national origin.
- B. If the school is to be named by its location in the community, the name proposed should be descriptive and of reasonable length.
- C. If the name is a person, it is encouraged that the person should have been a former District educator/administrator, local resident or local civic leader of great prominence whose educational contributions to the District have had significant beneficial effects on the public school system and its students. However, names of inspiring national or international persons are also allowable. If the name is a former elected official, the person shall have left public office for a period of time not less than five (5) years. The Board discourages naming a school or building after a living person.

# II. Naming a New School:

The applicable Assistant Superintendent for Elementary or Secondary Leading & Learning Office of the Chief of Schools, with the assistance of individuals in the community and/or community organizations, if any, shall submit the proposed name(s) for school(s) to the Superintendent for his/her subsequent recommendation to the Board for final approval. Names for new schools shall be considered in accordance with the following procedures:

- A. A "Naming" committee shall be established and shall minimally consist of the following:
  - 1. School principal of the school to be named. If the facility is not a school, the Superintendent will choose his/her designee.
  - 2. Parent representative chosen by mutual agreement of the school principal and parents of registered students.
  - 3. Student representative chosen by mutual agreement of the school principal, parents of registered students and the Superintendent's designee.
- B. The committee will meet and determine a schedule to invite the students from feeder schools being affected by the new school to participate in the naming of the new school facility. If the facility is not a school, then the Superintendent's designee will convene a District committee.

C. The committee will submit its recommendation to the Board in writing and be available to discuss its recommendation with the Board at the Board's regularly scheduled Board meeting.

- D. By simple majority vote of Board members present, the Board may accept or reject the request to name the school, part thereof or other District facility.
- E. The name of a new school, once adopted by the Board, shall be considered permanent for a period no less than five (5) years.

#### III. Renaming an Existing School and Naming or Renaming School Buildings and Ancillary School Facilities

- A. An initiating entity named below, may submit a written request to the Assistant Superintendent of Facilities

  Services Office of the Chief of Schools through the School's Principal requesting the Board rename an existing school or name or rename a school building or ancillary school facility. An "initiating entity" is defined as any of the following:
  - 1. School Advisory Committee of the school, evidenced by a majority vote of the membership.
  - 2. PTA or other parent-based organization of the school, evidenced by a majority vote of its board.
  - 3. At least seventy-five percent (75%) of the school's students.
  - 4. Alumni of the school (the minimum number of which is at least seventy-five percent (75%) of the school's current student body population, as evidenced by a signed petition indicating the graduate's name and graduation year).\*
  - 5. Community members within the school's attendance zone (the minimum number of which is at least seventy-five percent (75%) of the school's current student body population, as evidenced by a signed petition indicating the community member's name and address within the attendance zone).\*

\*Note: The District has no obligation to verify the accuracy of the petitions presented.

- B. A maximum of three (3) schools at a time may be considered for renaming as set forth in this section.
- C. Schools that complete the renaming process under this section may not be considered for renaming for at least five (5) calendar years following the Board action to rename the school.
- D. Following receipt of the written request described in subsection II.A above the Superintendent, or designee, shall prepare the request for Board consideration including the planned procedures and protocols for soliciting input.
- E. The Board shall decide by majority vote of the Board whether to accept the written request for consideration.
- F. If the Board accepts the written request, then within sixty (60) calendar days, the Superintendent shall initiate the administrative procedures and protocols for renaming the school.
- G. The administrative procedures and/or protocols shall include the following minimum requirements:
  - Community Meetings: The Superintendent or designee shall host up to three (3) open community meetings.
     Third party facilitators or designated District administrators should be utilized to facilitate the community meetings.
  - 2. Community Input: The Superintendent or designee shall solicit input from eligible stakeholders through the use of a survey or other like instrument. Community input will be solicited from the following:
    - a. SAC of the school;
    - b. PTA or other parent-based organization of the school;
    - c. Students of the school;
    - d. Parents or Legal Guardians of students attending the school;
    - e. Community members within the school's attendance zone;
    - f. Members of the school's faculty and staff;
    - g. Alumni of the school and
    - h. Members of the public
  - 3. Student engagement strategies to include age-appropriate dialogue.
  - 4. Communication strategies for increasing public awareness of the renaming process.

H. Within 180 calendar days of the vote of the Board to accept the renaming request, the Superintendent shall offer to the Board for its decision (by a vote of the Board), either a proposed new name or recommend no change to the school's existing name. In the event of extenuating circumstances that warrant additional time, including, but not limited to, assessment calendars, natural disasters or extended school breakers. The Superintendent may present the matter to the Board and offer an alternative timeline for consideration.

Revised 2/12/02 Revised 3/25/03 Revised 5/30/06 Revised 6/28/22

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Last Modified by Teresa Youngman on January 11, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title PROPERTY CUSTODIANSHIP

Code \*po7300; DD 01.12.24

Status

Adopted May 1, 2002

Last Revised October 28, 2014

### 7300 - PROPERTY CUSTODIANSHIP

### Responsibility of the Superintendent

- A. All real and tangible personal property shall become the direct responsibility of the Superintendent, including its care, custody, safekeeping, and accounting of all property.
- B. The Superintendent shall cause to be established such procedures and measures necessary to provide accurate information in regard to the nature, condition, location, and value of all major school property, to safeguard against undue damage, loss depreciation; to attempt to recover and restore to useful service any major school property which may be lost, stolen, or damaged; and to do all other things necessary to insure the proper maintenance and safekeeping of school property.
- C. The Superintendent or Designee shall place in operation procedures that include those services and activities which ensure that students may attend school without sanitation or physical hazards and provide for necessary heat, lights, water, power, and other supplies and utilities necessary for the operation of the schools. Procedures shall include methods for preserving and keeping the building, grounds, and equipment in a satisfactory state of maintenance, and which include repairs, replacements, renovations, and adjustments.
- D. The Superintendent shall place into operation procedures for preserving and keeping the building, grounds, and equipment in a satisfactory state of maintenance, and which include repairs, replacements, renovations, and adjustments.

#### Responsibility of Principal

The principal of each school shall be the custodian of all property located at and charged to the school.

### Responsibility of Division and Department Head

The division and/or department head shall be the custodian of all property purchased through or assigned to the division and/or department.

# **Delegation of Responsibility**

The principal and the division/department head may appoint a delegate designee, an employee under their supervision, to assist with property custodianship accountability; however Principal/Department Head/Division Head is ultimately responsible for acquisition, transfer and/or disposal of all property at his/her site.

Revised 10/28/14 01/12/24



Legal <u>F.S. 1001.42</u>

F.S. 1001.51

Last Modified by Dania Declue on January 12, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title DISPOSITION OF SURPLUS PROPERTY

Code \*po7310; DD 01.11.24

Status

Adopted May 1, 2002

### 7310 - DISPOSITION OF SURPLUS PROPERTY

The Board requires the Superintendent to review the property of the District periodically and to dispose of that material and equipment which is no longer usable in accordance with the terms of this policy.

# A. Instructional Material

The District shall review instructional materials (i.e. textbooks, library books, manuals, support materials, etc.) periodically to determine the relevance of such materials to the present world and current instructional programs. The following criteria will be used to review instructional materials for redistribution and possible disposal:

- 1. concepts or content that do not support the current goals of the curriculum
- 2. information that may not be current
- 3. worn beyond salvage

# B. Equipment

The District shall inspect the equipment used in the instructional program periodically, to determine the condition and usability of such equipment in the current educational program. Should the equipment be deemed no longer serviceable or usable, the following criteria will be used to determine possible disposal:

- 1. repair parts for the equipment no longer readily available
- 2. repair records indicate equipment has no usable life remaining
- 3. obsolete and/or no longer contributing to the educational program
- 4. some potential for sale at surplus
- 5. creates a safety or environmental hazard

# C. <u>Disposition</u>

The Superintendent or Designee is authorized to dispose of obsolete instructional and other property by selling it to the highest bidder, by donation to appropriate parties, or by proper waste removal. Property which is not suitable for District use shall be disposed by surplus of in accordance with State statutes. Disposal of surplus property purchased with Federal funds shall be disposed of in accordance with Federal procedures. 2 CFR 200.312

D. <u>Availability of Facilities and Property Identified as Surplus, Marked for Disposal, or Otherwise Unused</u>
District facilities and property identified as surplus, marked as disposal, or otherwise unused shall be made available to charter schools on the same basis as it is made available to other District schools. F.S. 1013.28

Legal <u>2 C.F.R. 200.313</u>

2 C.F.R. 200.312

F.A.C 69I-73.005

F.S. 1013.28

F. S. 1012.33

F.S. 274.07

F.S. 274.06

F.S. 274.05

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Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title SMALL UNMANNED AIRCRAFT SYSTEMS

Code \*po7440.03 12.19.23 DD

Status

Adopted March 7, 2023

### 7440.03 - SMALL UNMANNED AIRCRAFT SYSTEMS

The School Board prohibits the operation of small, unmanned aircraft systems (sUAS) at any time on a property that is owned or leased or contracted for by the Board by any individual who is not authorized to do so by the Superintendent or his/her Designee. Small, unmanned aircraft systems are commonly known as drones.

Pursuant to the Florida High School Athletic Association's (FHSAA) administrative policies, the Board also prohibits the operation of an sUAS at any FHSAA event conducted on property owned or leased or contracted for by the Board. District officials may deny admission or entry to anyone attempting to use an sUAS until the event has been completed.

To be authorized to operate an sUAS on property owned or leased or contracted for by the Board, a staff member or administrator or other individual (agent) under contract with the Board must have a remote pilot certificate issued by the Federal Aviation Administration (FAA). Further, the sUAS must be registered with the FAA and properly marked in accordance with 14 C.F.R. Part 107.

A staff member, administrator, or agent of the Board who is authorized to operate an sUAS on property owned or leased or contracted for by the Board, must also comply with all rules set forth in 14 C.F.R. Part 107. (See AP 7440.03)

Failure to adhere by all rules set forth in 14 C.F.R. Part 107 and AP 7440.03 may result in loss of authorization to operate an sUAS on property owned or leased or contracted for by the Board, referral to local law enforcement, and/or further disciplinary action, up to and including termination for an employee and expulsion for a student.

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Adopted by BPS: (Need date from Legal when Admin signed this policy into adoption.) Revised: 12.19.2023

Legal Reference 14 C.F.R. Part 107

Legal 14 C.F.R. Part 107

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Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title PROPERTY INVENTORY

Code \*po7450; DD 01.12.24

Status

Adopted May 1, 2002

Last Revised October 28, 2014

### 7450 - PROPERTY INVENTORY

The Board recognizes that efficient management and full replacement upon loss requires accurate inventory and properly maintained property records.

District schools and departments shall annually conduct a complete inventory of all District owned tangible personal property.

For purposes of this policy "tangible personal property" shall mean any tangible personal property, of a nonconsumable nature, with a life expectancy of more than one (1) year which has a capitalized value equal to or greater than the value defined in District procedures as tangible personal property with an amount of at least \$1,000 F.A.C 69I-73.002.

A complete inventory of all District owned tangible personal property shall be conducted annually and when there is a change of site custodian at a school or department location. A principal or department head shall obtain a police report of any District-owned tangible personal property that is reported missing or stolen from the location's inventory and provide a copy of the report to Accounting Services to document write off of the assest.

The Accounting Services Department maintains procedures outlining all processes required to administer this policy in compliance with F.S. 274.02 and will revise when required.

Revised 10/28/14

# © Neola 2002

Legal F.A.C. 69I-73.002

F.S. 274.02 F.S. 1001.43

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Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title USE OF DISTRICT FACILITIES

Code \*po7510 12.19.23 DD

Status

Adopted May 1, 2002

Last Revised March 26, 2013

### 7510 - USE OF DISTRICT FACILITIES

The Board believes that the grounds and facilities of this District should be made available for community purposes, provided that such use does not infringe on the original and necessary purpose of the property or interfere with the educational program of the schools and is harmonious with the purposes of this District.

The Board will permit the use of District grounds and facilities when such permission has been requested in writing by a responsible organization or a group of citizens and has been approved by the Superintendent.

### **Use by School-Oriented Organizations and Groups**

There shall be no charge for use of school facilities and equipment to approved groups and organizations related to and connected with the school, students, and/or activities and events directly related to the operation or support of the school. Swimming pool use is an exception. All pool usage shall be consistent with the adopted fee schedule for use of pools. Custodial services shall be rendered at no charge to school-oriented groups described above, if the use of the facilities occurs during hours normally covered by school custodians, and if the event or activity does not create additional need for custodial services. School kitchens must be operated by regular cafeteria employees only. Charges will be assessed for the actual hourly rate, including applicable fringe benefits, for cafeteria employees on duty during the use.

## **Use by Nonschool-Oriented Organizations and Groups**

There shall be a charge for the use of school facilities and equipment to groups and organizations not directly school related and/or oriented. Usage charges shall be established by the Superintendent and shall be based upon the facilities being used. Payment shall be made in advance by check payable to the School Board of Brevard County, Florida. A representative of the school shall be on the school grounds during the hours of use of facilities, except for playgrounds, practice fields, or other similar non-building locations. Custodial services are included in the basic facility usage fee except when additional services are needed and/or when the use of the facility occurs outside normal hours when a representative of the District is not on the school campus. Charges made for extra custodial services described above shall be the hourly rate, including applicable fringe benefits, of the employee assigned. A qualified employee must supervise the operation of major equipment in cafeteria, shops, etc. Charges will be assessed for the actual hourly rate, including applicable fringe benefits, for the employee on duty during the use.

#### **Long-Term Use**

Long-term use agreements for school facilities shall be executed by written contract. When a standardized agreement has been adopted by the Board for use of specific types of facilities, such agreement shall be executed. When uses have not been made the subject of standardized agreements, the Superintendent shall negotiate, in conjunction with the Board attorney, a specific agreement for approval by the Board.



Equipment, other than the normal furnishings of a particular facility, is not available for rental except by special permission of the Superintendent. No property or equipment shall be used for any of the following purposes:

- 1. commercial or personal gain by District employees using their position to secure a special privilege in the use of District facilities, property, or equipment that is not normally available to the public
- 2. programs involving any form of gambling or any illegal activity
- 3. private teaching, except by accredited institutions of higher education
- 4. activities in violation of any Board regulation
- 5. by any organization or party which believes in or teaches directly or indirectly, the overthrow of the governments of the United States, the State of Florida, and/or Brevard County

### B. Admission Fee

Notwithstanding the provisions in A above, non-school-oriented organizations and groups may, upon approval of the Superintendent, use District facilities and charge an admission fee provided:

- 1. such fee is to recover costs (or possibly more) associated with holding the specific event on District property;
- 2. the use of the facility is of educational benefit to students;
- 3. an approved facility usage agreement is executed for each use and all applicable facility use charges have been paid.

### C. Intent

The intent of this policy may not be circumvented by any agency or organization described herein through use of the Board/County Commissioner Recreation Agreement, or similar agreements.

# D. Denial of Use

The Superintendent may deny use of facilities or equipment to any agency or organization whose purpose in using District facilities and/or equipment is considered by the Superintendent to be incompatible with this rule.

#### **Use of District Vehicles**

Personal use of District-owned vehicles shall be as follows:

- A. Board security officers may be provided with vehicles on a twenty-four (24) hour basis, if authorized by the Superintendent. These vehicles are classified under IRS section 274(d) as qualified nonpersonal use vehicles, used by law enforcement officers. Personal use must be incidental to law-enforcement functions, such as being able to report directly from home in an emergency situation.
- B. All other personal use of District-owned vehicles, such as commuting to and from work, is prohibited, unless authorized by the Superintendent. The value of any personal use will be reported annually on the employee's W-2 as taxable income, subject to current Internal Revenue Service rules.

#### **Temporary Facilities**

The Superintendent shall be authorized to lend temporary relocatable buildings to governmental agencies under the following provisions:

- A. The period of use will be for one (1) year with an option to renew for an additional year, but not to exceed a combined period of three (3) years.
- B. The use of the temporary relocatable building shall be that of the primary governmental unit requesting the agreement and for a purpose not in conflict with any of the stated Board policies.
- C. Preference shall be given to governmental agencies that provide a primary or secondary service to the School District.
- D. There shall be no expense to the Board for the maintenance and care of the facility during the use period, and it shall be returned at the end of the use period in like or better condition. Expenses incurred by the Board in relocating a building shall be reimbursed by the requesting governmental agency.

Should all or any part of the District's community be struck by a disaster, the Board shall make District grounds and/or facilities available, for the housing, feeding, and care of victims or potential victims when requested by local, County, State, or Federal governmental authorities.

FL-BREVARD-23-1239-A-000629

The Superintendent shall develop administrative procedures for the granting of permission to use District facilities including a schedule of fees. Such procedures are to include the following:

- A. Each user shall present evidence of the purchase of organizational/general liability insurance to the limit prescribed by the District's administrative procedures.
- B. Use of school equipment in conjunction with the use of school facilities must be requested specifically in writing, and may be granted by the procedure by which permission to use facilities are granted. The users of school equipment must accept liability for any damage or loss to such equipment that occurs while it is in their use. Where rules so specify, no item of equipment may be used except by a qualified operator.
- C. Users shall be liable financially for damage to the facilities and for proper chaperonage.

No liability shall attach to this District, or any of its employees and officers, specifically as a consequence of permitting access to these facilities.

Revised 3/26/13 Updated: 01/09/24

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Legal F.S. 112.313
F.S. 119.011
F.S. 1001.41
F.S. 1001.42
F.S. 1001.51

Last Modified by Dania Declue on January 10, 2024

F.S. 1013.10





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title STAFF USE OF CELLULAR TELEPHONES, PAGES, AND TWO-WAY RADIOS

Code \*\*po7530.01 12/18/23 AT (RESCIND);PG 12-19-23

Status

Adopted April 12, 2005

# This policy is being rescinded and replaced with NEOLA policy po7530.02.

### 7530.01 STAFF USE OF CELLULAR TELEPHONES, PAGES, AND TWO-WAY RADIOS

### Use of Board Owned Cellular Telephones, Pagers, and Two Way Radios

The Board will provide cellular telephones, pagers, and/or two way radios to employees who, by the nature of their job, have a routine and continuing business need for the use of same for official Board business. Cellular telephones, pagers, and two way radios are provided as a tool to conduct Board business and to enhance business efficiencies. Cellular telephones, pagers, and two-way radios are not a personal benefit and shall not be a primary mode of communication, unless they are the most cost-effective means of conducting Board business.

The Superintendent or his/her designee shall see that:

- A. the need for each Board owned cellular telephone, pager, and two way radio is clearly justified for Board business purposes;
- B. alternative solutions for work production and communication have been considered;
- C. employees provided with cellular telephones, pagers, and two way radios understand the purpose and limitations of usage;
- D. administrative procedures will be developed to implement this policy.

In unforeseen circumstances, an employee may use their Board issued cellular telephone to make a personal call, for which reimbursement will be made to the Board.

# Use of Personal Owned Cellular Telephones, Pagers, and Two Way Radios

Board employees may carry personal cellular telephones with them while at work, but are subject to the following restrictions:

- A. Excessive use of a personal cellular telephone for personal business during work hours is considered outside the employee's scope of employment.
- B. The Board assumes no liability for loss or damage to an employee's personal cellular telephone carried in a Board vehicle or left on Board property.

In emergency situations, an employee may be required to use their personal cellular telephone to make a business related call, for which reimbursement will be made by the Board.

Last Modified by Paul Gibbs on December 19, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title Board-Owned Wireless Communication Devices

Code \*po7530.01V2 12/21/23 AT (New)

Status

#### 7530.01V2 - BOARD-OWNED WIRELESS COMMUNICATION DEVICES

The School-Board will provide wireless communication devices ("WCDs") (as defined in Bylaw 0100) to employees who by the nature of their job have a routine and continuing business need for the use of such devices for official Board business. Board-owned cell phones are provided as a tool to conduct Board business and to enhance business efficiencies. Board-owned cell phones are not a personal benefit and shall not be a primary mode of communication, unless they are the most cost-effective means to conduct Board business (i.e. because some cellular telephone services plan are billed on a time-used basis, Board-owned cell phones should not be used if a less costly alternative method of communication is safe, convenient and readily available).

In accordance with Florida law, no prohibited application as identified by the Florida Department of Management Services (DMS) shall be installed or utilized on a Board-owned WCD. Upon notice of any changes to DMS's list of prohibited applications, District employees shall have fifteen (15) calendar days to remove such applications.

#### [NOTE: START OF FIRST SET OF OPTIONS CHOOSE OPTION #1 OR OPTION #2]

#### Option #1

#### [SELECT ONE]

[ ] The Superintendent will recommend and the Board will approve the staff members who will be issued a Board owned cell phone and provided with a cellular telephone and/or wireless Internet/data service plan.

🚼 The Superintendent shall designate those staff members who will be issued a Board-owned cell phone and provided with a cellular telephone and/or wireless Internet/data service plan.

### [END OF SELECTIONS]

The Superintendent or his/her-designee is responsible for verifying:

- A. the need for each Board-owned cell phone and related service plan is clearly justified for Board business purposes;
- B. alternative solutions for work production and communication are considered:
- C. employees provided with a cellular telephone and/or wireless Internet/data service plans are notified of the purpose and limitations of usage;
- D. cellular telephone and wireless Internet/data service plan invoices outlining the details of usage are received and reviewed for conformance with this policy;
- E. employees reimburse the Board for non-business use; and
- F. a Board-owned cell phone is returned and the corresponding cellular telephone and/or wireless Internet/data service plan is terminated when it is no longer justified by business requirements, the employee leaves the Board's employment, and/or when the employee has demonstrated a disregard for the limitation of this policy;
- G. that the WCD is restricted from accessing any prohibited application as identified by DMS; and,
- H. that the District retains the ability to remotely wipe and uninstall any prohibited application from the WCD that is believed to be have been adversely impacted, either intentionally or unintentionally, by a prohibited application.

🚼 In deciding which staff members should receive a Board-owned cell phone, the Superintendent or designee will consider whether their jobs:

A. require them to spend a considerable amount of time outside of their assigned office or work area during regular work hours and have regular access to telephone and/or Internet/data connections while outside their office or assigned work area;

C. consistently require timely and business critical two (2) way communication for which there is no reasonable alternative technology;
(This is not intended to include occasional, incidental access or purely voluntary access such as checking e-mail from home.)
D.
E. ( ) more than fifty percent (50%) of the employee's work is conducted outside the employee's assigned office or work area;
F. E. (+) the employee is required to be contacted on a regular basis outside regular work hours; or
G. ( ) the employee is required to be on call 24/7.
END OF OPTION #1]
<del>Option #2</del>
] The Board requires the staff members listed below to be accessible by telephone for Board business and exigencies when and if need arises. Cell phones enable in the person's location at that time. Therefore, a Board owned cell phone () may () shalt uperintendent () as well as the following staff members:

Α.	( ) assistant superintendent(s):	
В.	( ) District level administrators:	
C.	( ) supervisors:	
D.	( ) principals:	
E.	( ) bus drivers (for use during work hours only):	
F.	( ) teachers (specify):	-
G.	( ) coaches and/or extra-curricular activity advisors:	
н.	(other	<del>)</del>

#### [NOTE: SELECT THE FOLLOWING PARAGRAPH(S) IF ONLY ADMINISTRATORS/SUPERVISORS ARE SELECTED ABOVE.]

## [NOTE: END OF FIRST SET OF OPTIONS]

[ ] Furthermore, Board owned cell phones are not to be used to place calls or send/receive e mails, instant messages, or text messages of a personal nature, or access the Internet for personal business. [END OF OPTION]

Cellular telephones and wireless Internet/data service plans are expected to be set at the minimum level that fulfills the business need for the position in question. The wireless service plan that is selected for an employee should be the one that provides a combination of services including number of minutes, coverage, and local call zone most nearly matching the employee's recurring business needs as well as whether or not the service plan includes text messaging, instant message and/or e-mail capability, and ability to access the Internet. If the service plan is based on minutes used for calls made or includes a charge regarding e-mail or instant messages, the smallest plan available to accommodate the particular business need shall be utilized.

The Board shall approve the Superintendent's or designee's recommendation regarding the type and level of cellular telephone and wireless Internet/data service appropriate for each staff member listed above. In all cases, the Superintendent shall take the steps necessary to secure the most economical and responsible service available.

Thereafter, an annual review of the service plans available shall be made to determine if the District's plans are the most economical and responsible available. Additionally, at least once annually, the Superintendent or designee shall review the employee's actual usage (i.e. type and level of service) with the employee and, if warranted, authorize the acquisition of a different cell phone and/or selection of a different service plan that more nearly matches the employee's recurring business needs. Any such change in provider and/or necessary adjustments to individual staff member's devices and/or service plans shall be presented to the Board for consideration and approval.

Possessing a Board-owned cell phone and/or other WCD is a privilege and all employees are expected to use them appropriately and responsibly. Employees are responsible for managing the cost-effectiveness of their cell phone and/or WCD use by utilizing assigned landline and/or designated computers as available and appropriate. —Employees should know that using a cell phone to place calls outside the immediate area might result in roaming charges, in addition to long distance and regular charges, and that the Board is charged for both outgoing and incoming calls

In order to continue to be eligible to receive a Board-owned cell phone, staff members are required to answer all calls on his/her Board-owned cell phone and promptly respond to any messages.



[] [Select this alternative language if non-exempt employee(s) (for Fair Labor Standard Act ("FLSA") purposes) receive Board-owned cell phone or other WCDs. (see Policy 6760)] In order to continue to receive a Board-owned cell phone and/or other WCD, non-exempt employees are required during his/her regular work hours to answer all calls on his/her cell phone and promptly respond to any messages. Non-exempt employees are not be work remotely via their Board-owned PCD outside regular work hours without prior authorization from their supervisor. In other words, unless they are directed to provide an immediate response, all e-mails/texts/calls should be responded to only during regular work hours. Non-exempt employees must maintain a written record of all time spent preparing and/or responding to e-mails/texts and placing and/or answering calls outside regular work hours. [END-OF-OPTION]

#### Safe and Appropriate Use of Board-Owned WCDs, Including Cell Phones

Employee safety is a priority of the Board and responsible use of Board-owned WCDs, including cell phones, requires safe use. (see Policy 7530.02 - Staff Use of Wireless Communication Devices)

Employees may not use a WCD in a way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed, or intimidated.

Employees shall comply with Policy 8625 related to WCD use while driving and the prohibitions therein. An employee who violates this prohibition is subject to disciplinary action, up to and including termination.

#### Duty to Maintain Confidentiality of Student Personally Identifiable Information; Public and Student Record Requirements

Employees are subject to all applicable policies and procedures pertaining to the protection of the security, integrity, and availability of the data stored on their Board-owned WCDs. (see Policy 7530.02 - Staff Use of Personal Communication Devices)

When the Board intends to dispose of, or otherwise stop using, a Board-owned WCD on which an employee has maintained public records, student records and/or ESI that is subject to a litigation hold, the District's TT department/staff shall verify such records are properly transferred to an alternative storage device, before disposing of, or otherwise ceasing to use, the WCD. The IT department/staff is responsible for securely deleting such records/ESI before disposing of, or ceasing to use, the Board-owned WCD. The IT department/staff is responsible for maintaining documentation concerning the actions it takes to comply with this requirement.

#### **Employee's Responsibilities**

Employees are responsible for the safekeeping, care, and custody of the Board-owned WCDs assigned to them. Further, employees are responsible for the cost of misuse, intentional damage or reckless loss of the Board-owned WCDs provided to them. (\*) The District does not provide or purchase insurance to cover loss or damage to its WCDs. [END OF OPTION]

Reasonable precautions should be taken to prevent theft, loss, or damage to, or misuses or unauthorized use/access to Board-owned WCDs. Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce the Board-owned WCD issued to him/her for return or inspection. Employees unable to present the device in good working condition within the time period requested (e.g. twenty-four (24) hours) {} -- might {} -- will be expected to bear the cost of a replacement. Employees who separate from employment with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms and may be subject to legal action for recovery of the loss.

[ ] Each employee issued a Board owned WCD is required to keep a log documenting the calls made, e mails, instant messages or text messages sent/receive, or Internet sites accessed with a notation of the purpose of each action. [END OF OPTION]

Each employee issued a Board-owned cell phone will receive a detailed monthly statement for all charges. The employee must review the monthly statement for billing accuracy, then sign and date it verifying the employee's review and attesting that there are no charges for personal calls, text messages, instant messages or e-mails. A copy of the signed and dated statement is to be submitted to the Superintendent within days of receipt of it by the employee. In the event that a personal call is inadvertently made or received, or a text message, instant messages, or e-mails of a personal nature is sent or received on the employee's Board-owned cell phone, the employee shall be billed for the actual cost of the personal calls made or received, or the text messages, instant messages or e-mails sent or received. In addition, the employee shall also be charged a portion of the monthly service fee. If the employee's service plan is all inclusive and charges are not assessed for individual calls, text messages, instant messages or e-mails, then the employee will be charged a pro-rated share of the monthly charge. Any amount owed will be deducted from the employee's paycheck in the following pay cycle.

Any employee who regularly places or receives personal calls, or uses his/her Board-owned cell phone to send/receive personal e-mails, text messages, or instant messages shall be subject to disciplinary action. Use of a Board-owned WCD by an employee to access a personal e-mail account or connect to the Internet for personal business is strictly prohibited.

WCDs may not be transferred to any other employee without prior notification and approval of the Superintendent. Employees provided with a WCD understand that the WCD is owned by the Board. Any alteration or switching of WCDs must be approved in advance by the Superintendent.

[-] Cell phone numbers provided by the Board, via contract with a cellular telephone service provider/vendor, are considered business numbers of the District which shall remain and belong to the Board for its use unless otherwise changed by the service provider/vendor or as mandated by the Federal Communications Commission. (-) Employees are not allowed to transfer/port a previous personal cellular telephone number to a Board-owned cell phone. [END OF OPTION]

The Board reserves the right to audit all Board-owned cell phones, which will include but not be limited to, a review of the detailed monthly statement upon submission after the requisite review by the employee. The detailed monthly service statements for all Board-owned cell phones, as well as invoices and payment documents related to these accounts, are public records and, as such, may be subject to disclosure and review.

#### Use of Board-owned Cell Phones for Personal Calls

The Board recognizes that in rare circumstances it may be necessary for an employee to use a Board-owned cell phone for personal business. The Board generally prohibits such conduct as emphasized by this policy, but realizes there may be limited situations when such use is justified. Employees are advised not to take advantage of this provision and that repeated use of a Board-owned cell phone for personal business will result in disciplinary action.

#### [NOTE: START OF FOURTH SET OF OPTIONS - CHOOSE OPTION #1 OR OPTION #2]

#### Option #1

[ ] If unforeseen circumstances develop where employees must use their Board issued cell phone for personal reasons (i.e., to let family know that the employee will be home late, etc.) it is up to the Superintendent or his/her designee to determine whether the employee should reimburse the Board.

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[ ] The Board will routinely audit the phone log/record provided by employees to confirm that no personal calls were made and/or to ensure that the costs associated with any personal calls made by the employee (including the employee's pro rata share of the monthly service charge) are timely reimbursed to the Board.

#### Option #2

[ ] Board owned cell phones are a public resource and may be used for Board business only. Employees are advised to obtain and carry a personally owned cell phone for personal use at their own expense. Board owned cell phones may not be used for personal uses, except in clearly urgent situations, when no other telephone is readily available, and the call is related to the conduct of official business. Thus, calls, e mails, text messages, or instant messages home notifying family of the employee's whereabouts, etc. when required to work extended hours shall be considered business related. Such communications should be kept brief and to the point. Board owned cell phones should not be misused for personal business. If an employee determines the need to make or receive a personal call on a Board owned cell phone, or send or receive a text message, instant message or e mail of a personal nature then the employee is required to pay the Board the full cost related to such activity, including the pro rata amount of the monthly service charge. Employees in such circumstances are responsible for generating their own long/record of personal communications made on the Board owned cell phone, reviewing the monthly statement to differentiate between business related and personal calls, and remitting the full amount owed for personal calls within thirty (30) days of the receipt of the monthly statement. The Board will engage in a mandatory monthly audit of the employee's records and the monthly statement to verify that reimbursements are both accurate and timely made, and to verify that the employee is charged the appropriate pro rata amount of the monthly service charge. Failure to reimburse the Board within the specified period may result in a deduction of the amount due from the employee's paycheck, or final check upon termination of employment.

( ) The Board reserves the right to withhold any unreimbursed amount from the employee's wages.

( ) Employees will be expected to sign an agreement that allows the Board to deduct the cost of unpaid calls from the employee's paycheck.

#### [NOTE: END OF FOURTH SET OF OPTIONS]

Potential Disciplinary Action/Cancellation of Board-Owned WCD

Violation of this policy may constitute just cause for disciplinary action up to and including termination. Use of the Board-owned WCD in any manner contrary to local, State or Federal laws will constitute misuse and will result in the Board canceling the employee's privilege to use the WCD and requiring the employee to immediately return the device.

#### [OPTIONAL ADDITION]

#### **Employee Use of Board-Owned Cell Phones**

The Board will provide Board owned cell phones to certain employees who require specific equipment or similar technology to perform District functions (e.g., school safety, physical plant maintenance, etc.) and expect never to use these devices for personal use. The Superintendent must approve such exceptions. Employees who qualify for this exception must submit to the Treasurer's office monthly documentation in the form of a copy of their respective cell phone usage logs, verifying business use. The log must note the date/time of the phone call, to whom the call was placed or from whom the call was received, a brief statement of the purpose of the call, ( ) and if the cell phone has wireless Internet/data service [END OF OPTION], a statement that all use of the wireless Internet/data service was business related. The employee's immediate supervisor will be required to approve all charges, attesting that all calls were business related. The initialized the copy of the usage logs. If an employee fails to keep clied to the data were the province of the requirement, so the wind to return the Board award cell phones.

## [SELECT ONE OF THE FOLLOWING]

[ ] If a personal call inadvertently occurs, restitution must be made to the District.

[ ] If the employee uses the Board owned cell phone for personal business, ( ) a prorated portion of that month's bill, which is related to the employee's personal use of the device, will be treated as compensation for the employee.

[ ] The employee will be required to reimburse the District for a prorated portion of that month's bill, which is related to the employee's personal use of the device.

#### [END OF OPTIONS]

🚼 Reimbursement for Business Calls on Personally-Owned Cell Phone [NOTE: SELECT ONE OF THE TWO OPTIONS OFFERED BELOW.]

[] If a Board employee's job duties do not include frequent need for a cell phone, the employee is not eligible to receive a Board owned cell phone. Such employees, however, may request reimbursement for the actual extra expenses of business related calls that are made/received on their personally owned cell phone. Reimbursement for per minute "init ime" charges is limited to the total overage charge shown on the invoice; expenses for minutes included in the employee's personal plan will not be reimbursed. The employee should make personal payment to the provider, and then submit a request for reimbursement, which details the date/time of the call, to whom the call was placed or from whom the call was received, and a brief description of the purpose of the call. A copy of the employee's cellular telephone service bill must be attached to the request for reimbursement (the employee () may () should redact any personal calls from the bill prior to submitting it). Business calls made on school property should be made from traditional land line phones, when readily accessible, and therefore will not be reimbursed if made on a personally owned cell phone.

Hhen authorized in writing by the Superintendent the cost of using a personally-owned cell phone for official business may be reimbursed to the employee. Having a personally-owned cell phone is a choice the employee makes, and if the device is used for business purposes, any reimbursement will be for reasonable costs in excess of the base service plan plus any additional charges such as roaming fees or other fees and taxes incurred as a direct result of the business use. In no instances will the employee be reimbursed more than the monthly cost to the employee. To receive the reimbursement, the employee must document the inbound/outbound telephone number, name of person called, texted, or e-mailed or the individual who called, texted or e-mailed the employee, and the date and purpose of the communication along with the original service plan bill.

F.S. 112.22

F.S. 316.305

F.S. 316.306



Legal References

F.S. 112.22 F.S. 316.305

F.S. 316.306

Last Modified by April Terry on January 10, 2024





Policy Manual Book

Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title Staff And School Officials Use Of Wireless Communication Devices

Code \*po7530.02 12/6/23 AT (NEW)

Status

# 7530.02 - STAFF AND SCHOOL OFFICIALS USE OF WIRELESS COMMUNICATION DEVICES

Use of wireless communication devices ("WCD") (as defined in Bylaw 0100) has become pervasive in the workplace. Whether the WCD is Board-owned and assigned to a specific employee or school official or personally-owned by the employee or school official (regardless of whether the Board pays the employee an allowance for his/her use of the device, the Board reimburses the employee or school official on a per use basis for their business-related use of his/her WCD, or the employee or school official receives no remuneration for his/her use of a personally-owned WCD, the employee or school official is responsible for using the device in a safe and appropriate manner and in accordance with this policy and its accompanying procedure, as well as other pertinent Board policies and procedures.

**Conducting District Business Using a WCD** 

**INOTE: FIRST SET OF OPTIONS - CHOOSE OPTION A OR OPTION B1** 

**FOPTION AT** 

1. Employees and school officials are permitted to use a Board-owned and/or personally-owned WCD to make/receive calls, send/receive e-mails, send/receive texts, send/receive instant messages ( ), or ( ) **OPTION** that concern District business of any kind.

Employees and school officials are responsible for archiving such communication(s) in accordance with the District's requirements. INSERT REQUIREMENTS INSTEAD OF GENERAL REFERENCE TO REQUIREMENTS Any item that may be **Public Record Requested.**]

# **FEND OF OPTION AT**

[OPTION B]

[ ] Employees and school officials are prohibited from using a Board owned and/or personally owned WCD that concern District business of any kind other than to ( ) make/receive telephone calls ( ), send/receive emails on a District issued e mail account ( ), [END OF OPTION].

Employees and school officials who receive District business-related communication(s) on Board-owned and personally-owned WCDs on a function that is not permitted under this policy are still responsible for the following:

A. archiving such communication(s) sent or received in accordance with the District's requirements; and

account with the following message: "On[insert date], I received a message from you on my ( ) Board- owned ( ) personally owned WCD. Pursuant to Board Policy 7530.02, please contact me with such communications regarding District business of any kind via my wireless communication device, the District issued email account from which I am
sending this message ( ), or[End of Option]. Thank you."
[END OF OPTION B]
[END OF FIRST SET OF OPTIONS]
II. Safe and Appropriate Use of a WCD
[NOTE: SECOND SET OF OPTIONS - CHOOSE OPTION A OR OPTION B]
<del>[OPTION A]</del>
1. Employees and school officials whose job responsibilities include regular or occasional driving and who use a WCD for
business use are expected to refrain from using their device while driving. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees and school officials should pull off to the side of the road and safely stop the vehicle before placing or accepting a call. Reading or sending a text message, instant message, or e-mail, or browsing the Internet using a WCD while driving is a violation of State law and is strictly prohibited. If accepting a call is unavoidable and pulling over is not an option, employees are expected to keep the call short, use hands-free options (e.g., headsets or voice activation) if available, refrain from the discussion of complicated or emotional topics, and keep their eyes on the road. Pursuant to Policy 8625, use of a WCD in a handheld manner in a designated school crossing, school zone, or work zone area as defined in F.S. 316.003 is prohibited. Special care should be taken in situations where there is traffic, inclement weather, or the employee is driving in an unfamiliar area. In the interest of safety for employees, school officials, and other drivers, employees, and school officials are required to comply with all applicable State laws and local ordinances while driving, including any laws that prohibit texting or using a cell phone or other WCD while driving.
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[-]-2. In situations where job responsibilities include regular driving and accepting of business calls, the employee or school official should use hands-free equipment to facilitate the provisions of this policy.
OPTION B
[ ] Employees and school officials are responsible for operating Board owned vehicles and potentially hazardous equipment in a safe and prudent manner, and therefore, employees are prohibited from using a WCD while operating such vehicles or equipment. In the interest of safety for both Board employees and other drivers, employees are required to comply with all applicable laws while driving.
[NOTE: END OF SECOND SET OF OPTIONS]
3. All employees and school officials must comply with Policy 8625 – Ban on Texting While Driving.
III. Duty to Maintain Confidentiality of Student Personally Identifiable Information - Public and Student Record Requirements
1. Employees and school officials are subject to all applicable policies and procedures pertaining to the protection of the security, integrity, and availability of the data stored on a WCD regardless of whether they are Board-owned and assigned to a specific employee or personally-owned by the employee.
2. WCD communications, including calls, toyt mossages, instant mossages, and a mails cent or received may not be assure
<ol><li>WCD communications, including calls, text messages, instant messages, and e-mails sent or received may not be secure.</li><li>Therefore, employees should use discretion when using a WCD to relay confidential information, particularly as it relates to students.</li></ol>
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3. Additionally, WCD communications, including text messages, instant messages, and e-mails sent and/or received by a public employee or school official using a WCD may constitute public records.

B. responding to an individual who sends such communication using the employee's or school official's District issued e mail

- 4. Further, WCD communications about students, including text messages, instant messages, and e-mails sent and/or received by a District employee or school official using his/her WCD may constitute education records if the content includes personally identifiable information about a student. 5. Communications, including text messages, instant messages, and e-mails sent and/or received by a District employee or school official using his/her WCD, that are public records or student records are subject to retention and disclosure, upon request, in accordance with Policy 8310 - Public Records. Cellular/Wireless communications that are student records should be maintained pursuant to Policy 8330 - Students Records. 6. It is the responsibility of the District employee or school official who uses a WCD for District business-related use to archive all text messages, instant messages and e-mails sent and/or received using his/her WCD in accordance with the District's requirements. 7. Finally, cellular/wireless communications and other electronically stored information (ESI) stored on the staff member's or school official's WCD may be subject to a litigation hold pursuant to Policy 8315 - Information Management. Staff and school officials are required to comply with District requests to produce copies of cellular/wireless communications in their possession that are either public records or education records or that constitute ESI that is subject to a litigation hold. [NOTE: START OF THIRD SET OF OPTIONS - CHOOSE OPTION A OR OPTION B] [ ] OPTION A [TO BE SELECTED IF BOARD ADOPTED POLICY 7530.01 V1] At the conclusion of an individual's employment (whether through resignation, nonrenewal, or termination), the employee is responsible for verifying all public records, student records, and ESI subject to a litigation hold that are maintained on the employee's WCD are transferred to the District's custody (e.g., server, alternative storage device). The District's IT department/staff is available to assist in this process. Once all public records, student records, and ESI subject to a litigation hold are transferred to the District's custody, the employee is required to delete the records/ESI from his/her WCD. The employee will be required to sign a document confirming that all such records/information has been transferred to the District's custody and deleted from his/her WCD. Similarly, if an employee intends to dispose of, or otherwise stop using, a personally owned WCD on which s/he has maintained public records, student records and/or ESI that is subject to a litigation hold, the employee must transfer the records/ESI to the District's custody before disposing of, or otherwise ceasing to use, the personally owned WCD. The employee is responsible for securely deleting such records/ESI before disposing of, or ceasing to use, the personally owned WCD. Failure to comply with these requirements may result in disciplinary action. [ ] OPTION B [TO BE SELECTED IF BOARD ADOPTED POLICY 7530.01 V2] 8. At the conclusion of an individual's employment (whether through resignation, nonrenewal, or termination), the employee is responsible for informing the Superintendent or his/her designee of all public records, student records, and ESI subject to a Litigation Hold that is maintained on the employee's Board-owned WCD. The District's IT department/staff will then transfer the records/ESI to an alternative storage device. 19. If the employee utilized a personally-owned WCD for District-related communications, and the device contains public records, students records, and/or ESI subject to a litigation hold, the employee must transfer the records/ESI to the District's custody (e.g., server, alternative storage device) prior to the conclusion of his/her employment. The District's IT department/staff is available to assist in this process. Once all public records, student records, and ESI subject to a litigation hold are transferred to the District's custody, the employee is required to delete the records/ESI from his/her personally-owned WCD. The employee will be required to sign a document confirming that all such records/information has been transferred to the District's custody and deleted from his/her
- [NOTE: END OF THIRD SET OF OPTIONS]

personally-owned WCD.

10. If a WCD is lost, stolen, hacked, or otherwise subjected to unauthorized access, the employee or school official must immediately notify the Superintendent or designee so a determination can be made as to whether any public records, students records, and/or ESI subject to a litigation hold has been compromised and/or lost. Pursuant to Policy 8305 - Information Security and its accompanying procedure, the Superintendent or designee shall determine whether any security breach notification laws may have application to the situation. Appropriate notifications will be sent unless the records Records

WCDs:	
A. (-)—social security numbers	
B. (-)-driver's license numbers	
C. <del>( )</del> credit and debit card information	
D. <del>( )</del> -financial account numbers	
E. <del>( )</del> -student personally identifiable information	
F. (-)—information required to be kept confidential pursuant to the Americans with Disabilities Act (ADA)	
G. (-) personal health information as defined by the Health Insurance Portability and Accountability Act (HIPAA)	
H. <del>( )</del>	
[ ]-12. If an employee or school official maintains records and/or information on a WCD that is confidential, privileged, or otherw protected by State and/or Federal law, the employee is required to encrypt the records and/or information.	is
[ ] 13. It is ( ) required ( ) suggested that employees and school officials lock and password protect their WCDs when not in use	<b>)</b> .
[ ] 14. Employees and school officials are responsible for making sure no third parties (including family members) have access to records and/or information, which is maintained on a WCD in their possession, that is confidential, privileged, or otherwise protect by State and/or Federal law.	
IV. Privacy Issues	
I and the second se	
1. Except in emergency situations or as otherwise authorized by the Superintendent/designee or as necessary to fulfill their job responsibilities, employees and school officials are prohibited from using WCDs to capture, record, and/or transmit the words or sounds (i.e., audio) and/or images (i.e., pictures/video) of any student, staff member, or other person in the school or while attending a school-related activity. Using a WCD to capture, record, and/or transmit audio and/or pictures/video of an individual without proper consent is considered an invasion of privacy and is not permitted.	
I and the second of the second	
[NOTE: START FOURTH SET OF OPTIONS - CHOOSE OPTION A OR OPTION B OR OPTION C]	
•	
[ ] OPTION A	
The use of a WCD that contains built in cameras (i.e., devices that take still or motion pictures, whether in a digital or other formula prohibited in ( ) classrooms, ( ) gymnasiums, locker rooms, shower facilities, rest/bathrooms ( ) and/or swimming pool.	at
[ ] OPTION B	
The use of a WCD in ( ) classrooms, ( ) gymnasiums, locker rooms, shower facilities, rest/bathrooms and/or ( ) swimming pool i	_
prohibited.	3
•	
[ ] OPTION C	
<u>-</u>	
2. WCDs, including but not limited to those with cameras, may not be activated or utilized at any time in any school situation what reasonable expectation of personal privacy exists. These locations and circumstances include, but are not limited to, { }-classrooms, {-}-gymnasiums, locker rooms, shower facilities, rest/bathrooms, and any other areas where students or others may change clothes or be in any stage or degree of disrobing or changing clothes. The Superintendent and building principals are authorized to determine other specific locations and situations where use of a WCD is absolutely prohibited.	

11. The Board prohibits employees and school officials from maintaining the following types of records and/or information on their

[NOTE: END OF FOURTH SET OF OPTIONS]

## V. Potential Disciplinary Action

1. Violation of any provision of this policy may constitute just cause for disciplinary action up to and including termination.

2. Use of a WCD in any manner contrary to local, State, or Federal laws may also result in disciplinary action up to and including termination.

## Legal Authority

F.S. Chapter 119

F.S. 316.305

F.S. 316.306

F.S. 1001.41

F.S. 1001.42

F.S. 1001.43

F.S. 1002.221

F.A.C. 6A-10.081

Protecting Children in the 21st Century Act, Pub. L. No. 110-385, Title II, Stat. 4096 (2008)

Children's Internet Protection Act (CIPA), Pub. L. No. 106-554 (2001)

20 U.S.C. 1232g

34 C.F.R. Part 99

Legal <u>F.S. 316.305</u>

F.S. Chapter 119

Last Modified by April Terry on January 9, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title TECHNOLOGY (Revised Title)

Code \*po7540 12/19/23 AT (Revised)

Status

Adopted May 1, 2002

Last Revised October 28, 2014

#### 7540 - COMPUTER TECHNOLOGY AND NETWORKS

The Board is committed to the effective use of technology to both enhance the quality of student learning and the efficiency of Board operations.

The Superintendent shall develop and implement a written District Technology Plan (ETP). Procedures for the proper acquisition of technology shall be set forth in the DTP. The DTP shall also provide guidance to staff and students about making safe, appropriate, and ethical use of the District's network(s), as well as inform both staff and students about disciplinary actions that will be taken if Board technology and/or networks are abused in any way or used in an inappropriate, illegal, or unethical manner.

Further, safeguards shall be established so that the District's investment in both hardware and software achieves the benefits of technology and inhibits negative side effects. Accordingly, students shall be educated about appropriate online behavior including, but not limited to, using social media to interact with others online; interacting with other individuals in chat rooms, "hang outs", or on blogs; and, recognizing what constitutes cyberbullying, understanding cyberbullying is a violation of District policy, and learning appropriate responses if they are victims of cyberbullying.

Social media shall be defined as internet based applications (such as Facebook, MySpace, Twitter, etc.) that turn communication into interactive dialogue between users. The Board authorizes the instructional staff to access social media from the District's network, provided such access has an educational purpose for which the instructional staff member has the prior approval of the Principal.

However, personal access and use of social media, blogs, chat rooms, or "hang outs" from the District's network by students is expressly prohibited and shall subject students to disciplinary in accordance with Board policy.

The Superintendent shall review the DTP and report any changes, amendments, or revisions to the Board annually

Revised 4/26/11 Revised 10/28/14

<del>⊚ Neola 2010</del>

- 1. The Board is committed to the effective use of technology to both enhance the quality of student learning and the efficiency of District operations.
- 2. Although students' use of District technology resources (see definition in Bylaw 0100) is required to participate in and benefit from certain aspects of the District's curriculum and to participate in online assessment, unsupervised use of technology resources may be limited or denied if such use is not under the direct supervision of school staff if a student's use of District technology resources is in violation of the District's policy regarding acceptable use. Students and their parents must sign and submit a Student Technology Acceptable Use and Safety form annually. (see also, Policy 7540.03)
- H3. Annually, the Superintendent or designee shall develop a written Comprehensive Technology Plan (CTP), recommend the CTP to the Board for approval, and, upon approval, implement the CTP.
- 41. Annually the Superintendent or designee shall require the review of the implementation of the current CTP, update that plan as need be, and recommend the updated plan for approval by the Board. The CTP will address the need for District technology resources for all the District's instructional, operational and business functions, including, but not limited to software licenses, infrastructure hardware and software, technical support, telecommunication devices, servers, data storage, and recovery systems (both internal and external).
- 5. The Superintendent or designee shall establish a technology governance committee to review and revise of the CTP and recommend revisions necessary to update it.
- ₹46. The Superintendent or designee shall appoint members of the administrative, instructional, curriculum, operations, business, and information technology staff to the technology governance committee.
- VII7. Procedures for the proper acquisition of technology shall be set forth in the CTP. The CTP shall also provide guidance to staff and students about making safe, appropriate, and ethical use of District technology resources, as well as inform both staff and students about disciplinary actions that will be taken if its technology resources are abused in any way or used in an inappropriate, illegal, or unethical manner. (see Policy 7540.03 and AP 7540.03 Student Technology Acceptable Use and Safety, and Policy 7540.04 and AP 7540.04 Staff Technology Acceptable Use and Safety)
- VIII 8. This policy, along with the Student and Staff Technology Acceptable Use and Safety policies, and the Code of Student Conduct further govern students' and staff members' use of their wireless communication devices (see Policy 5136 and Policy 7530.02). Users have no right or expectation of privacy when using District technology resources (including, but not limited to, privacy in the content of their personal files, e-mails, and records of their online activity when using the District's computer network and/or Internet connection).
- Fig. Further, safeguards shall be established so that the Board's investment in both hardware and software achieves the benefits of technology and inhibits negative side effects. Accordingly, students shall be educated about appropriate online behavior including, but not limited to, using social media to interact with others online; interacting with other individuals in chat rooms or on blogs; and, recognizing what constitutes cyberbullying, understanding cyberbullying is a violation of Board policy, and learning appropriate app

X10. Students must comply	with Policy 7540.03 and Policy 5136 when using District technology resources to access and/or use District-approved social media platforms/sites.
<del>XI</del> 11. Similarlv. staff must co	omply with Policy 7544, Policy 7540.04, and Policy 7530.02 when using District technology resources to access and/or use District-approved social
media platforms/sites.	
OD	
OR - ORTION #3 [DRAFTING NOTE	E: Choose this option if the District intends to prohibit staff and students from accessing social media using District technology resources. If so, Policy
7544 is not necessary.]	choose this option if the District interior to promote stain and stauents from accessing social interior using District technology resources. If so, Folice
<del>[ ] XX</del> 12. The Board prohibit	ts students and staff members from using District technology resources to access and/or use social media.
<del>OR</del>	
OPTION #3	
[ ] XXX 13 The Board proh	ibits students from using District technology resources to access and/or use social media for other than instructional purposes.
l .	
communication with the Distr media platforms/sites to incre such access and use. Use of	-approved social media platforms/sites in accordance with Policy 7544 [ ] and, pursuant to Policy 7540.02, may use web content, apps, and services for one-way incit's constituents- <a href="[END-OF-OPTION] for business-related purposes">[END-OF-OPTION] for business-related purposes</a> . Authorized staff may use District technology resources to access and use District-approved socials provided the Superintendent approves, in advance, District-approved social media platforms/sites for business-related purposes is subject to Florida's public records laws and, as set forth in Policy 7544, staff archiving their social media and complying with the District's record retention schedule. (see Policy 8310 - Public Records, and AP 8310A - Public Records, and AP 8310A - Public Records.")
ı	
DRAFTING NOTE: Retain personal technology resou	this provision if the District has chosen an option in Policy 7544 permitting staff to access social media from District technology resources or fron
15. <del>[ ] L.</del> Staff must comply vand/or use social media for p	with Policy 7544, Policy 7540.04, and Policy 7530.02 when using District technology resources [] or personally owned WCDs [END OF OPTION] to access
-	Giornal parposes.
[END OF OPTIONS]	
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Legal References	
F.S. 1001.43	
F.S. 1011.62	
Cross References	
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po0100 - DEFINITIO	
po2252 - DIGITAL CL	
	COMMUNICATION DEVICES IT TECHNOLOGY ACCEPTABLE USE AND SAFETY
	TECHNOLOGY ACCEPTABLE USE AND SAFETY
po8310 - PUBLIC REG	
	TECHNOLOGY AND NETWORKS
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	ECHNOLOGY ACCEPTABLE USE AND SAFETY
	S FOR PUBLIC RECORDS
ap8310D - TRANSMI	SSION OF RECORDS AND OTHER COMMUNICATIONS
Legal	<u>F.S. 1001.42</u>
	F.S. 1001.43
	<u>F.S. 1006.07</u>

Last Modified by April Terry on January 10, 2024

F.S. 1006.21 F.S. 1006.28 F.S. 1012.22





Board Recommended Policy Revisions Up To & Including Vol 24 No1 Section

TECHNOLOGY PRIVACY Title

\*\*po7540.01 12-12-23 AT (Revised); PG 12-21-23 Code

Status

Adopted May 1, 2002 Last Revised August 13, 2019

#### 7540.01 - TECHNOLOGY PRIVACY

- and review all information resources (as defined in Bylaw 0100), including but contained in or used in conjunction with the District's computer system/network, telephone system, electronic mail system, and voice mail system. Staff members shall be notified that
- III. Review of such information may be done by the District's ET security staff, by direction of District management or the employee's supervisor, with or without the staff member's knowledge. A staff member's refusal to permit such access or refusal to surrender a password or passwords to the District's ET Security or supervisor may be grounds for discip action up to and including discharge.
- Superintendent's regulations. Staff members are encouraged to keep their personal records and personal business at home. In addition, staff members are advised that computers, hard
- V. Because the District's computer and voice mail systems are to be used primarily for business purposes, staff members are prohibited from sending offensive, discriminatory, or harassing
- will be motivated by legitimate business or security reasons. If a staff member's personal information is discovered, the contents of such discovery will be reviewed by the District to the
- VIII. All District technology any form for their personal use or for the use of others. In addition, staff members may not copy software use on District equipment without the prior approval of the Superintendent or designee. Such are approval may be obtained by filling out Form 7540.01 F1 Permission to Use/Import Software and will include a review of any copyright infringements, virus, or other malware problems associated with such outside s

Revised 8/13/19

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The School Board recognizes its staff members' right to privacy in their personal lives. This policy serves to inform staff members of the Board's position with respect to staff member privacy in the educational and workplace setting and to protect the Board's interests.

II. All District technology resources (as defined in Bylaw 0100) are the Board's property and are intended to be used primarily for business purposes. The Board retains the right to access and review all information resources (as defined in Bylaw 0100), including but not limited to, electronic and voice mail, computer files, databases, and any other electronic transmissions contained in or used in conjunction with the Board's computer system/network, telephone system, electronic mail system, and voice mail system. Staff members shall be notified that they have no expectation that any personal information/data maintained, stored, or transmitted on or through such systems is confidential or private.

III. Review of such information may be done by the Board with or without the staff member's knowledge. The use of passwords does not guarantee confidentiality and the Board retains the right to access information in spite of a password. () All passwords or security codes must be registered with the Board. [END OF OPTION] A staff member's refusal to permit such access may be grounds for discipline up to and including discharge.

IV. District technology resources are to be used for business and educational purposes.

### se Option #1 or Option #2

### Option #1

bited from sending offensive, discriminatory, or harassing computer, electronic, or

Staff members are encouraged to keep their personal records and personal business at home.

<del>!</del>
-V. Personal messages via Board-owned technology should be limited in accordance with the Superintendent's School Board guidelines. Staff members are encouraged to keep their personal records and personal business at home. Because District Technology Resources are to be used primarily for business and educational purposes, staff members are prohibited from sending offensive, discriminatory, or harassing computer, electronic, or voice mail messages.
1
<del>[END OF OPTIONS]</del>

VI. District technology resources must be used properly. Review of computer files, electronic mail, and voice mail will only be done in the ordinary course of business and will be motivated by a legitimated business reason. If a staff member's personal information is discovered, the contents of such discovery will not be reviewed by the Board, except to the extent necessary to determine if the files/e-mail/voice mail constitute a public record or if the Board's interests have been compromised. Any information discovered will be limited to those who have a specific need

VII. The administrators and supervisory staff members authorized by the Superintendent have the authority to search and access information electronically.

VIII. All District technology resources and information resources are the property of the Board. Staff members shall not copy, delete, or remove any information/data contained on District technology resources without the express permission of the Superintendent, or communicate any such information to unauthorized individuals. In addition, staff members may not copy software on to any District technology resources and may not bring software from outside sources for use on District technology resources without the prior approval of the Chief Information Officer. Such pre-approval shall include a review of any copyright infringements or virus problems associated with such outside software.

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Legal References

F.S. 119.011

Cross References

po0100 - DEFINITIONS

ap7540.01A - PERSONAL USE OF DISTRICT TECHNOLOGY

ap7540.01B - AT-HOME ACCESS TO DISTRICT TECHNOLOGY

Legal F.S. 119.011

Last Modified by Paul Gibbs on December 21, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title DISTRICT WEB PAGE (Changing Name to " WEB CONTENT, APPS, AND SERVICES ")

Code \*po7540.02 12-12-23 AT (Revised)

Status

Adopted April 27, 2004

Last Revised October 28, 2014

## 7540.02 DISTRICT WEB PAGE 7540.02 - WEB CONTENT, APPS, AND SERVICES

## A. Creation of Content for Web Pages/Sites, Apps, and Services

The School- Board authorizes staff members and students to create web pages/sites content, apps, and services (see Bylaw 0100, Definitions) that will be hosted on the Board's servers and published on the Internet by the Board on its servers or District-affiliated servers and/or published on the Internet. The web pages/sites must reflect the professional image of the District, its employees, and students. The content of all pages must be consistent with the Board's mission statement and staff-created web pages/sites are subject to prior review and approval of the Superintendent. Student-created web pages/sites are subject to Policy 5722 ("School-Sponsored Student Publications and Productions"). The content, apps, and services must comply with all applicable Board policies, applicable State and Federal laws (e.g., copyright laws, Children's Internet Protection Act (CIPA), Section 504 of the Rehabilitation Act of 1973 (Section 504), Americans with Disabilities Act (ADA), and Children's Online Privacy Protection Act (COPPA)), and reflect the professional image/brand of the District, its employees, and students. Content, apps, and services must be consistent with the Board's Mission Statement and staff-created web content, services, and apps are subject to prior review and approval of the Superintendent or designee before being published on the Internet and/or used with students.

11. In accordance with Florida law, no prohibited application as identified by the Florida Department of Management Services (DMS) shall be installed or utilized on a Board-owned WCD. Upon notice of any changes to DMS's list of prohibited applications, District employees shall have fifteen (15) calendar days to remove such applications.

#### **INOTE: CHOOSE ONE, BOTH, OR NONE OF THE FOLLOWING OPTIONS.1**

[ ] III2. Student-created content, apps, and services are subject to Policy 5722 - School-Sponsored Student Publications and Productions.

[ ] III3. The creation of content, apps, and services by students must be done under the supervision of a professional staff member.

### [END OF OPTIONS]

### B. Purpose of Content of District Web Pages/Sites, Apps, and Services

The purpose of content, apps, and services web page/sites hosted on by the Board's on its servers or District-affiliated servers is to educate, inform, and communicate. The following criteria shall be used to guide the development of such web pages/sites content, apps, and services:

Educate

#### 2. Inform

Content may inform the community about the school, teachers, students, or departments, including information about curriculum, events, class projects, student activities, and District departmental policies.

#### 3. Communicate

Content may provide an avenue to communicate with the community communicate information about the plans, policies, and operations of the District to members of the public and other persons who may be affected by District matters.

The information contained on the Board's web-site(s) should reflect and support the Board's mission statement, strategic plan, educational philosophy, and the school improvement process.

When the content includes a photograph or information relating to a student, the District Board will abide by the provisions of Policy 8330 - Student Records.

All links included on web pages must also meet the above criteria and comply with State and Federal laws including but not limited to copyright laws and the Children's Internet Protection Act (CIPA), and the Americans with Disabilities Act.

Under no circumstances is District-created content, apps, and services a web site to be used for

commercial purposes, advertising, political lobbying or to provide financial gains for any individual. Included in this prohibition is the fact no content contained on the District's website may:

- include statements or other items that support or oppose a candidate for public office, the investigation, prosecution or recall of a public official, or passage of a tax levy or bond issue;
- 2. link to a website of another organization if the other website includes such a message; or
- 3. communicate information that supports or opposes any labor organization or any action by, on behalf of, or against any labor organization.

[-]I. Under no circumstances is staff member-created content, apps, and services, including personal web pages/sites, to be used to post student progress reports, grades, class assignments, or any other similar class-related material. Employees are required to use the Board-specified website, app, or service (e.g., Progressbook, \_\_\_\_\_\_) for the purpose of conveying information to students and/or parents.

[] II. Staff members are prohibited from requiring students to go to the staff member's personal web pages/sites (including, but not limited to, their Facebook, Instagram, Pinterest pages) to check grades, obtain class assignments and/or class-related materials, and/or to turn in assignments.

[ ] III. If a staff member creates content, apps, and services related to his/her class, it must be hosted on the Board's server or a District-affiliated server.

[] IV. Unless the content, apps, and services contains student personally-identifiable information, Board websites, apps, and web services that are created by students and/or staff members that are posted on the Internet should not be password protected or otherwise contain restricted access features, whereby only employees, student(s), or other limited groups of people can access the site. Community members, parents, employees, staff, students, and other website users will generally be given full access to the Board's website(s), apps, and services.

V. Web content, apps, and services should reflect an understanding that both internal and external audiences will be viewing the information.

VI. School web pages/sites, apps, and services must be located on Board-owned or District-affiliated servers.

lobbying for candidates for public office, or to provide financial gains for any individual. In addition, before any statement that supports a tax referendum proposed by the District is posted on the District's website, or on any web pages linked to the District's website, the Board shall adopt a resolution at a public meeting declaring that such statement serves a public purpose. Nothing in this paragraph shall prevent the Board from linking on the District's web site to recognized news/media outlets (e.g., local newspapers' web sites, local television stations' web sites).

Under no circumstances is a staff member created web page/site, including personal web pages/sites, to be used to post student progress reports, grades, class assignments, or any other similar class related material. The Board maintains its own web site (e.g., Edline) that employees are required to use for the purpose of conveying information FQ\_SBAFTA/B/23P\$SA-000647

Staff members are prohibited from requiring students to go to the staff member's personal web pages/sites (including, but not limited to, their Facebook or MySpace pages) to check grades, obtain class assignments and/or class related materials, and/or to turn in assignments.

If a staff member creates a web page/site related to his/her class, it must be hosted on a District supported server.

Pages should reflect an understanding that both internal and external audiences will be viewing the information.

All District published web sites must be located on District supported servers.

The Superintendent shall prepare administrative procedures defining the rules and standards applicable to the use of the Board's web site and the creation of web pages/sites by staff and students.

The Board retains all proprietary rights related to the design of web sites and/or pages that are hosted on the District's servers, absent written agreement to the contrary.

Students who want their class work to be displayed on the District's web site must have parent/guardian permission and expressly license its display without cost to the District.

VII. The Superintendent or designee shall prepare administrative procedures defining the rules and standards applicable to the use of the Board's website and the creation of web content, apps, and services by staff [-] and students.

VIII. The Board retains all proprietary rights related to the design of web content, apps, and services that are hosted on Board-owned or District-affiliated servers, absent written agreement to the contrary.

IX. Students who want their class work to be displayed on the Board's website must have written parent permission and expressly license its display without cost to the Board.

X. Prior written parent permission is necessary for a student to be identified by name on the Board's website.

#### C. Website Accessibility

The District is committed to providing persons with disabilities an opportunity equal to that of persons without disabilities to participate in the District's programs, benefits, and services, including those delivered through electronic and information technology, except where doing so would impose an undue burden or create a fundamental alteration. The District is further committed to ensuring persons with disabilities are able to acquire the same information, engage in the same interactions, and enjoy the same benefits and services within the same timeframe as persons without a disability, with substantially equivalent ease of use; that they are not excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any District programs, services, and activities delivered online, as required by Section 504 and Title II of the ADA and their implementing regulations; and that they receive effective communication of the District's programs, services, and activities delivered online.

The District adopts this policy to fulfill this commitment and affirm its intention to comply with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, 34 C.F.R. Part 104, and Title II of the Americans With Disabilities Act of 1990, 42 U.S.C. 12131 and 28 C.F.R. Part 35 in all respects.

## C. Technical Standards

1. Technical Standards

[DRAFTING NOTE: OCR recommends WCAG 2.0 Level AA.]

2. Web Accessibility Coordinator

The Board designates its-(-) Section 504/ADA Compliance Coordinator(s)-(-) Technology Director-(-) as the District's web accessibility coordinator(s). That individual(s) is responsible for coordinating and implementing this policy.

[Select Option 1 or 2]

AMERICA (1) [OPTION 1]

See Board Policy 2260.01 for the Section 504/ADA Compliance Coordinator(s)' contact information.

FL-BREVARD-23-1239-A-000648

The District's Web Accessibility Coordinator(s) can be re	eached at <del>[Insert name or title,</del>
address, e-mail, phone]. 321-633-1000 ext 11280.	

### [End of Option 1 & 2]

### 3. Third Party Content

Links included on the Board's website(s), services, and apps that pertain to its programs, benefits, and/or services must also meet the above criteria and comply with State and Federal law (e.g. copyright laws, CIPA, Section 504, ADA, and COPPA). While the District strives to provide access through its website to online content provided or developed by third parties (including vendors, video-sharing websites, and other sources of online content) that is in an accessible format, that is not always feasible. The District's administrators and staff, however, are aware of this requirement with respect to the selection of online content provided to students. The District's web accessibility coordinator or his/her designees will vet online content available on its website that is related to the District's programs, benefits, and/or services for compliance with these criteria for all new content placed on the District's website after the adoption of this policy.

Nothing in the preceding paragraph, however, shall prevent the District from including links on the Board's website(s) to:

- a. recognized news/media outlets (e.g., local newspapers' websites, local television stations' websites), or
- b. websites, services, and/or apps that are developed and hosted by outside vendors or organizations that are not part of the District's program, benefits, or services.

The Board recognizes that such third party websites may not contain age-appropriate advertisements that are consistent with the requirements of Policy 9700.01, AP 9700B, and State and Federal law.

# 4. Regular Audits

a. The District, under the direction of the web accessibility coordinator(s) or his/her/their designees, will, at regular intervals, audit the District's online content and measure this content against the technical standards adopted above.

( )This audit will occur no less than once every two (2) years.

- b. If problems are identified through the audit, such problems will be documented, evaluated, and, if necessary, remediated within a reasonable period of time.
- 5. Reporting Concerns or Possible Violations

If any student, prospective student, employee, guest, or visitor believes that the District has violated the technical standards in its online content, s/he may contact the web accessibility coordinator with any accessibility concerns. S/He may also file a formal complaint utilizing the procedures set out in Board Policy 2260 and Policy 2260.01 relating to Section 504 and Title II.

## -D. Instructional Use of Apps and Web Services

1. The Board authorizes the use of apps and services to supplement and enhance learning opportunities for students either in the classroom or for extended learning outside the classroom. Students are prohibited from accessing social media platforms through the use of Internet access provided by the District unless expressly directed by a teacher solely for educational purposes.

## [SELECT OPTION #1 OR #2]

## [ ][OPTION #1]

2. The Board requires the ( ) Superintendent ( ) Chief Information Officer pre-approve each app and/or service that a teacher intends to use to supplement and enhance student learning. To be approved, the app and/or service must have a FERPA-compliant privacy policy, as well as comply with all requirements of the Children's Online Privacy Protection Act (COPPA) and the Children's Internet Protection Act (CIPA) ( ) and Section 504 and the ADA.

### [ ][OPTION #2]

A teacher who elects to supplement and enhance student learning through the use of apps and/or services is responsible for verifying/certifying to the ( ) Superintendent ( ) \_\_\_\_\_\_ that the app and/or service has a FERPA-compliant privacy policy, and it complies with all requirements of the Children's Online Privacy Protection Act (COPPA) and the Children's Internet Protection Act (CIPA) ( ) and Section 504 and the ADA.

### [END OF OPTIONS]

The Board further requires

( ) prior written parental permission to use a student's personal e-mail address in the login process.

### E. Periodic Annual Training

The District will provide ( ) annual ( ) periodic training for its employees who are responsible for creating or distributing information with online content so that these employees are aware of this policy and understand their roles and responsibilities with respect to web design, documents, and multimedia content.

### F. One-Way Communication Using District Web Content, Apps, and Services

- 1. The District is authorized to use web pages/sites, apps, and services to promote school activities and inform stakeholders and the general public about District news and operations. However, the use of TikTok or any successor platform is prohibited on District-owned devices, through Internet access provided by the District, or as a platform to communicate or promote any District school, school-sponsored club, extra-curricular organization, or athletic team.
- 2. Such communications constitute public records that will be archived.
- 3. When the Board or Superintendent designates communications distributed via District web pages/sites, apps, and services to be one-way communication, public comments are not solicited or desired, and the website, app, or service is to be considered a nonpublic forum.
- 4. If the District uses an app and/or web service that does not allow the District to block or deactivate public comments (e.g., Facebook, which does not allow comments to be turned off, or Twitter, which does not permit users to disable private messages or mentions/replies), the District's use of that apps and web service will be subject to Policy 7544 Use of Social Media, unless the District is able to automatically withhold all public comments.
- 5. If unsolicited public comments can be automatically withheld, the District will retain the comments in accordance with its adopted record retention schedule (see AP 8310A Requests for Public Records), but it will not review or consider those comments.

[DRAFTING NOTE: Districts are advised to adopt a new category of records that covers such "hidden public comments" on social media. Unless dictated by State law, retention periods established by the district for such unsolicited communications should be limited.]

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Revised 4/12/05 Revised 4/26/11 Revised 10/28/14

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Legal F.S. 104.31(1)(a)

F.S. 110.233(2)

F.S. 110.233(4)

F.S. 112.313(6)

F.S. 1001.32(2)

F.S. 1001.42

H.R. 4577

P.L. 106-554, Children's Internet Protection Act of 2000

People Against Tax Revenue Mismanagement v. County of Leon, 583 So. 2d 1373 (Fla. 1991); Commission on Ethics: In Re: Patty Lynch, Case No. 2068EC (1994)

Last Modified by April Terry on January 9, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title STUDENT INTERNET SAFETY AND ACCEPTABLE USE (Revised Title)

Code \*po7540.03 12/19/23 AT (Revised)

Status

Adopted May 1, 2002

Last Revised October 28, 2014

#### 7540.03 - STUDENT NETWORK AND INTERNET SAFETY AND ACCEPTABLE USE AND SAFETY

Advances in telecommunications and other related technologies have fundamentally altered the ways in which information is accessed, communicated, and transferred in our society. Such changes are driving the need for educators to adapt their means and methods of instruction, and the way they approach student learning, to harness and utilize the vast, diverse, and unique resources available on the Internet. The District encourages students to utilize the Internet in order to promote educational excellence in our schools by providing them with the opportunity to develop the resource sharing, innovation, and communication skills and tools which will be essential to life and work. The instructional use of the Internet will be guided by the Board's policy or instructional materials.

The Internet connects computers and users in the District with computers and users worldwide. Access to the Internet enables students to explore thousands of libraries, databases, and information services. Access to such an incredible quantity of information and resources brings unique challenges.

First, and foremost, the District may not be able to technologically limit access to services through the District's Internet connection to only those that have been authorized for the purpose of instruction, study, and research related to the curriculum. Unlike in the past when educators and community members had the opportunity to review and screen materials to assess their appropriateness, access to the Internet will open classrooms and students to electronic information resources which may not have been screened by educators for use by students of various ages.

The District has implemented technology protection, utilizing software and hardware measures which attempt to monitor, block, and filter Internet access to content, visual, or otherwise that are obscene, child pornography, or harmful to minors. Nevertheless, parents/guardians are advised that a determined user may be able to gain access to services on the Internet that the Board has not authorized for educational purposes. In fact, it is impossible to guarantee students will not gain access through the Internet to information and communications that they and/or their parents/guardians may find inappropriate, offensive, objectionable, or controversial. Parents/Guardians assume risks by consenting to allow their child to participate in the use of the Internet. Parents/Guardians of minors are responsible for setting and conveying the standards that their children should follow when using the Internet.

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

- A. safety and security while using e-mail, chat rooms, "hang outs", social media, and other forms of electronic communications;
- B. the dangers inherent with the online disclosure of personally identifiable information; and,
- C. the consequences of unauthorized access (e.g., "hacking") cyberbullying and other unlawful or inappropriate activities by students online

staff members will provide guidance and instruction to students in the appropriate use of the Internet. All Internet users (and their parents if they are minors) are required to sign a written agreement (AUP) annually, or at the time of enrollment to abide by the terms and conditions of this policy and its accompanying procedures.

Students and staff members are responsible for good behavior on the District's computers and the Internet just as they are in classrooms, school hallways, and other school premises and school sponsored events. Communications on the Internet are often public in nature. General school rules for behavior and communication apply. The Board does not sanction any use of the Internet that is not authorized by or conducted strictly in compliance with this policy and its accompanying procedures.

Students shall not access social media for personal use from the District's network, but shall be permitted to access social media for educational use in accordance with their teacher's Principal approved plan for such use.

Users who disregard this policy and its accompanying procedures may have their use privileges suspended or revoked, and disciplinary action taken against them. Users granted access to the Internet through the District's computers assume personal responsibility and liability, both civil and criminal, for uses of the Internet not authorized by this Board policy and its accompanying procedures.

The Board designates the Superintendent as the administrators responsible for initiating, implementing, and enforcing this policy and its accompanying procedures as they apply to the use of the Internet for instructional numbers.

Revised 4/26/11

Revised 10/28/14

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- 1. Technology has fundamentally altered the ways in which information is accessed, communicated, and transferred in society. As a result, educators are continually adapting their means and methods of instruction, and the way they approach student learning to incorporate the vast, diverse, and unique resources available through the Internet. The School Board provides technology resources (as defined in Bylaw 0100) to support the educational and professional needs of its students and staff. With respect to students, District technology resources afford them the opportunity to acquire the skills and knowledge to learn effectively and live productively in a digital world. The Board provides students with access to the Internet for limited educational purposes only and utilizes online educational services/apps to enhance the instruction delivered to its students. The District's computer network and Internet system do not serve as a public access service or a public forum and the Board imposes reasonable restrictions on its use consistent with its limited educational purpose.
- 2. The Board regulates the use of District technology resources by principles consistent with applicable local, State, and Federal laws, the District's educational mission and articulated expectations of student conduct as delineated in the Code of Student Conduct. This policy and its related administrative procedures and the Code of Student Conduct govern students' use of District technology resources and students' personal communication devices when they are connected to the District computer network, Internet connection, and/or online educational services/apps or when used while the student is on Board-owned property or at a Board-sponsored activity (see Policy 5136).

Users have no right or expectation to privacy when using District technology resources (including, but not limited to, privacy in the content of their personal files, e-mails, and records of their online activity when using the District's computer network and/or Internet connection). First, the Board may not be able to technologically limit access, through its technology resources, to only those services and resources that have been authorized for the purpose of instruction, study, and research related to the curriculum. Unlike in the past when educators and community members had the opportunity to review and screen materials to assess their appropriateness for supporting and enriching the curriculum according to adopted procedures and reasonable selection criteria (taking into account the varied instructional needs, learning styles, abilities, and developmental levels of the students who would be exposed to them), access to the Internet, because it serves as a gateway to any publicly available file server in the world, opens classrooms and students to electronic information resources that may not have been screened by educators for use by students of various ages. 6. Pursuant to Federal law, the Board has implemented technology protection measures that protect against (e.g., filter or block) access to visual displays/depictions/materials that are not appropriate for students (taking into consideration the subject matter and the age of students served at each school), obscene, constitute child pornography, and/or are harmful to minors, as defined by the Children's Internet Protection Act (CIPA). The Board also utilizes software and/or hardware to monitor online activity of students to restrict access to child pornography and other material that is obscene, objectionable, inappropriate, and/or harmful to minors. The technology protection measures may not be disabled at any time that students may be using District technology resources if such disabling will cease to protect against access to materials that are prohibited under the CIPA. Any student who attempts to disable the technology protection measures will be subject to discipline. The Superintendent or Chief Information Officer may temporarily or permanently unblock access to websites or online educational services/apps containing appropriate material if access to such sites has been inappropriately blocked by the technology protection measures. The determination of whether the material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material, not on the protection actions of the technology protection measures. [END OF OPTIONS] must may submit a request to ( ) the District's Information Technology FEND OF OPTIONS 1 to have filter. ( ) The s. [END OF OPTIONAL SENTENCE] 8. Parents are advised that a determined user may be able to gain access to services and/or resources on the Internet that the Board has not authorized for educational purposes. In fact, it is impossible to guarantee students will not gain access through the Internet to information and communications that they and/or their parents may find inappropriate, offensive, objectionable, or controversial. Parents of minors are responsible for setting and conveying the standards that their children should follow when using the Internet. 9. The District shall provide an Internet Safety Program in accordance with State Board of Education Rule. Among other things, the Program: A. limits access by students to only age-appropriate subject matter and materials on the Internet; protects the safety and security of students when using e-mail, chat rooms, and other forms of direct electronic communications: prohibits access by students to data or information, including so-called "hacking," and other unlawful online activities by students; and prevents access to websites, web applications, or software that does not protect against the disclosure, use, or dissemination of students' personal information in accordance with F.A.C. 6A-1.0955.

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

- A. safety and security while using e-mail, chat rooms, social media, and other forms of direct electronic communications;
- B. the dangers inherent with the online disclosure of personally identifiable information;
- C. the consequences of unauthorized access (e.g., "hacking", "harvesting", "digital piracy", "data mining", etc.), cyberbullying, and other unlawful or inappropriate activities by students online; and,
- D. unauthorized disclosure, use, and dissemination of personally identifiable information regarding minors.
- 11. Staff members shall provide instruction for their students regarding the appropriate use of technology and online safety and security as specified above. Furthermore, staff members will monitor the online activities of students while at school.
- 12. Monitoring may include, but is not necessarily limited to, visual observations of online activities during class sessions; or use of specific monitoring tools to review browser history and network, server, and computer logs.
- 13. Building principals are responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying procedures. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of District technology resources. Such training shall include, but not be limited to, education concerning appropriate online behavior, including interacting with other individuals on social media, including in chat rooms, and cyberbullying awareness and response. All users of District technology resources (and their parents if they are minors) are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying procedures.

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

14. Students are responsible for good behavior when using District technology resources - i.e., behavior comparable to that expected of students when they are in classrooms, school hallways, and other school premises and school-sponsored events. Communications on the Internet are often public in nature. General school rules for behavior and communication apply. The Board does not approve any use of its technology resources that is not authorized by or conducted strictly in compliance with this policy and its accompanying procedures.

[NOTE: If language about social media is added to Policy 7540, it is recommended that this language be added to this policy.]

15. Students are prohibited from accessing social media platforms through the use of Internet access provided by the District unless expressly directed by a teacher solely for educational purposes. The use of the TikTok platform or any successor platform is prohibited on District-owned devices, through Internet access provided by the District, or as a platform to communicate or promote any District school, school-sponsored club, extracurricular organization, or athletic team.

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

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18. Annual Approval of Policy
A. By September 1st of each year, the Board shall review and, if necessary, approve any changes to this policy.
F.S. 1001.43
F.S. 1001.51
F.S. 1003.02
F.A.C. 6A-1.0955
P.L. 106-554, Children's Internet Protection Act of 2000
47 U.S.C. 254(h),(1), Communications Act of 1934, as amended
20 U.S.C. 6301 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended
20 U.S.C. 6777 (2003)
20 U.S.C. 9134 (2003)
18 U.S.C. 2256
18 U.S.C. 1460
18 U.S.C. 2246
47 C.F.R. 54.500
47 C.F.R. 54.501
47 C.F.R. 54.502
47 C.F.R. 54.503
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F.S. 1001.43 F.S. 1001.51 F.S. 1003.02 F.A.C. 6A-1.0955 P.L. 106-554, Children's Internet Protection Act of 2000 47 U.S.C. 254(h),(1), Communications Act of 1934, as amended 20 U.S.C. 6301 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended 20 U.S.C. 6777 (2003) 20 U.S.C. 9134 (2003) 18 U.S.C. 2256 18 U.S.C. 1460 18 U.S.C. 2246 47 C.F.R. 54.500 47 C.F.R. 54.501 47 C.F.R. 54.502 47 C.F.R. 54.503 47 C.F.R. 54.504 47 C.F.R. 54.505 47 C.F.R. 54.506 47 C.F.R. 54.507 47 C.F.R. 54.508 47 C.F.R. 54.509 47 C.F.R. 54.511 47 C.F.R. 54.513 47 C.F.R. 54.514 47 C.F.R. 54.515 47 C.F.R. 54.516 47 C.F.R. 54.517 47 C.F.R. 54.518 47 C.F.R. 54.519

Legal <u>F.S. 1001.43</u>

47 C.F.R. 54.520 47 C.F.R. 54.522 47 C.F.R. 54.523

Legal References

F.S. 1001.51

H.R. 4577, P.L. 106-554, Children's Internet Protection Act of 2000
P.L. 110-385, Title II, Protecting Children in the 21st Century Act
47 U.S.C. 254(h),(1), Communications Act of 1934, as amended

20 U.S.C. 6801 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended

20 U.S.C. 6777 (2003) 20 U.S.C. 9134 (2003) 18 U.S.C. 1460 18 U.S.C. 2246 18 U.S.C. 2256

Last Modified by April Terry on January 10, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY (Revised Title)

Code \*po7540.04 12/19/23 AT (Revised)

Status

Adopted May 1, 2002

Last Revised October 28, 2014

#### 7540.04 - STAFF / ADULT NETWORK AND INTERNET TECHNOLOGY ACCEPTABLE USE AND SAFETY

Advances in telecommunications and other related technologies have fundamentally altered the ways in which information is accessed, communicated, and transferred in our society. Such changes are driving the need for educators to adapt their means and methods of instruction, and the way they approach student learning, to utilize the vast, diverse, and unique resources available on the Network/Internet. The District's Internet system has not been established as a public access service or a public forum. The District has the right to place restrictions on its use to assure that use of the District's Internet system is in accord with its limited educational purpose. Student use of the District's computers, network, and Internet services will be governed by this policy and the related administrative procedures, and the Student Code of Conduct. The due process rights of all users will be respected in the event there is a suspension for inappropriate use of the network. Users have a limited privacy expectation in the content of their personal files and records of their online activity while on the network. This is no expectation of privacy.

The District encourages staff to utilize the Network/Internet in order to promote educational excellence in our schools by providing them with the opportunity to develop the resource sharing, innovation, and communication skills and tools that are essential to both life and work. The District encourages the faculty to develop the appropriate skills necessary to effectively access, analyze, evaluate, and utilize these resources in enriching educational activities. The instructional use of the Network/Internet will be quided by the District's policy on instructional materials.

The Internet is a global information and communications network that provides an incredible opportunity to bring previously unimaginable education and information resources to our students. The Internet connects computers and users in the District with computers and users worldwide. Through the Internet, students and staff can access up to date, highly relevant information that will enhance their learning and the education process. Further, the Internet provides students and staff with the opportunity to communicate with people from throughout the world. Access to such an incredible quantity of information and resources brings with it certain unjoin challenges.

First, and foremost, the District may not be able to technologically limit access to services through the District's Internet connection to only those that have been authorized for the purpose of instruction, study and research related to District business. Unlike in the past when educators and community members had the opportunity to review and screen materials to assess their appropriateness, access to the Internet will open classrooms and stuff to electronic information resources.

The Board has implemented the use of a Technology Protection Measure (TPM), which is a specific technology that is designed to block (e.g., filter or block) access to visual displays/depictions that are obscene, child pornography, and materials that are harmful to minors, as defined by the Children's Internet Protection Act. At the discretion of the Board or Superintendent, the Technology Protection Measure will not be intentionally disabled at any time that students may be using the Network, if such disabling will cease to protect against access to materials that are prohibited under the Children's Internet Protection Act (CIPA). The Superintendent or designee may temporarily or permanently unblock access to sites containing appropriate material, if access to such sites has been inappropriately blocked by the Technology Protection Measure. The determination of whether material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material and on the protection actions of the Technology Protection Measure.

The District utilizes software and/or hardware to monitor online activity of staff members to restrict access to child pornography and other material that is obscene, objectionable, inappropriate and/or harmful to minors. The Superintendent may disable the Technology Protection Measure to enable access for bona fide research or other lawful purposes.

Staff members will participate in professional development programs in accordance with the provisions of law and this policy. Training shall include:

- A. the safety and security of students while using e mail, chat rooms, "hang outs", social media and other forms of electronic communications;
- B. the inherent danger of students disclosing personally identifiable information online; and,
- C. the consequences of unauthorized access (e.g., "hacking"), cyberbullying and other unlawful or inappropriate activities by students or staff online.

Furthermore, staff members shall provide instruction for their students regarding the appropriate use of technology and online safety and security as specified above.

The online disclosure of personally identifiable information of students is prohibited.

Building Principals and other District administrators are responsible for providing training so that Network/Internet users under their supervision are knowledgeable about this policy and its accompanying procedures. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of the Network/Internet. All staff who utilize the Network/Internet are required to sign a written agreement (AUP) prior to accessing the network to abide by the terms and conditions of this policy and its accompanying procedures.

Staff members are responsible for good behavior on District's computers/network and the Network/Internet just as they are in classrooms and other school premises and school sponsored events. Communications on the Network/Internet are often public in nature. General school rules for behavior and communication apply. The District does not sanction any use of the Network/Internet that is not authorized by or conducted strictly in compliance with this policy and its accompanying procedures. Users who disregard this policy and its accompanying procedures may have their usage privileges suspended or revoked, and disciplinary action taken against them. Users granted access to the Network/Internet through the District's computers assume personal responsibility and liability, both civil and criminal, for uses of the Network/Internet not authorized by this policy and its accompanying procedures.

Staff members shall not access social media for personal use on the District's network, and shall access social media for educational use only after submitting a plan for that educational use and securing the Principal's approval of that plan in advance.

The Board designates the Superintendent as the administrator responsible for initiating, implementing, and enforcing this policy and its accompanying procedures as they apply to staff members' use of the Network.

Revised 2/28/06
Revised 10/08
Revised 4/28/09
Revised 4/26/11
Revised 10/28/14
Revised 10/28/14
Revised 10/28/14

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

2. The Board regulates the use of District technology and information resources by principles consistent with applicable local, State, and Federal laws and the District's educational mission. This policy and its related administrative procedures ---Policy 7544 and AP 7544, END OF OPTION and any applicable employment contracts and collective bargaining agreements govern the staff's use of the District's technology and information resources and staff's wireless communication devices when they are connected to the District's computer network, Internet connection, and/or online educational services/apps, or when used while the staff member is on Board-owned property or at a Board-sponsored activity (see Policy 7530.02).

#### [DRAFTING NOTE: Choose the option above if the Superintendent recommends and the Board adopts Policy 7544.]

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

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

5. Staff members are expected to utilize District technology and information resources to promote educational excellence in our schools by providing students with the opportunity to develop the resource sharing, innovation, and communication skills and tools that are essential to both life and work. The Board encourages the faculty to develop the appropriate skills necessary to effectively access, analyze, evaluate, and utilize these resources in enriching educational activities. The instructional use of the Internet and online educational services will be guided by Board Policy 2520 - Selection of and Adoption of Instructional Materials.

6. The Internet is a global information and communication network that brings incredible education and information resources to our students. The Internet connects computers and users in the District with computers and users worldwide. Through the Internet, students and staff can access relevant information that will enhance their learning and the education process. Further, District technology resources provide students and staff with the opportunity to communicate with other people from throughout the world. Access to such an incredible quantity of information and resources brings with it, however, certain unique challenges and responsibilities.

- 7. Staff must follow the District's Internet Safety Plan which:
  - A. limits access by students to only age-appropriate subject matter and materials on the Internet;
  - B. protects the safety and security of students when using e-mail, chat rooms, and other forms of direct electronic communications;
  - C. prohibits access by students to data or information, including so-called "hacking," and other unlawful online activities by students; and
  - D. prevents access to websites, web applications, or software that does not protect against the disclosure, use, or dissemination of students' personal information.
- 8. The Board may not be able to technologically limit access, through its technology resources, to only those services and resources that have been authorized for the purpose of instruction, study, and research related to the curriculum. Unlike in the past when educators and community members had the opportunity to review and screen materials to assess their appropriateness for supporting and enriching the curriculum according to adopted guidelines and reasonable selection criteria (taking into account the varied instructional needs, learning styles, abilities, and developmental levels of the students who would be exposed to them), access to the Internet, because it serves as a gateway to any publicly available file server in the world, opens classrooms and students to electronic information resources that may not have been screened by educators for use by students of various ages.
- 9. Pursuant to Federal law, the Board has implemented technology protection measures that protect against (e.g., filter or block) access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors, as defined by the Children's Internet Protection Act (CIPA). At the discretion of the Board or Superintendent, the technology protection measures may also be configured to protect against access to other material considered inappropriate for students to access. The Board also utilizes software and/or hardware to monitor online activity of staff members to restrict access to othild pornography and other material that is obscene, objectionable, inappropriate, and/or harmful to minors. The technology protection measures may not be disabled at any time that students may be using the District technology resources if such disabling will cease to protect against access to materials that are prohibited under the CIPA. Any staff member who attempts to disable the technology protection measures without the express written consent of an appropriate administrator will be subject to disciplinary action, up to and including termination.
- 10. In accordance with Florida law, no prohibited application as identified by the Florida Department of Management Services (DMS) shall be installed or utilized on a Board-owned WCD. Upon notice of any changes to DMS's list of prohibited applications, District employees shall have fifteen (15) calendar days to remove such applications.
- 11. The Superintendent or Chief Information Officer————— may temporarily or permanently unblock access to websites or online educational services/apps containing appropriate material if access to such sites has been inappropriately blocked by the technology protection measures. The determination of whether the material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material, not on the protection actions of the technology protection measures. 

  The Superintendent or Chief Information Officer————— may also disable the technology protection measures to enable access for bona fide research or other lawful purposes.
- 12. Staff members will participate in professional development programs in accordance with the provisions of law and this policy. Training shall include:
  - A. the safety and security of students while using e-mail, chat rooms, social media, and other forms of direct electronic communications;
  - B. the inherent danger of students disclosing personally identifiable information online;
  - C. the consequences of unauthorized access (e.g., "hacking", "harvesting", "digital piracy", "data mining", etc.), cyberbullying, and other unlawful or inappropriate activities by students or staff online; and
  - D. unauthorized disclosure, use, and dissemination of personally identifiable information regarding minors.
- 13. Furthermore, staff members shall provide instruction for their students regarding the appropriate use of technology and online safety and security as specified above, and staff members will monitor students' online activities while at school.
- -14. Monitoring may include, but is not necessarily limited to, visual observations of online activities during class sessions or use of specific monitoring tools to review browser history and network, server, and computer logs.
- 15. The disclosure of personally identifiable information about students online is prohibited.
- 16. Building principals are responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying procedures. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of the District technology response. The principal indication in the appropriate use of the District technology response and cyberbuiltying awareness and response. All users of District technology resources are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying procedures.

-17. Staff will be assigned a school email address that they are required to utilize for all school-related electronic communications, including those to students, parents and other constituents, fellow staff members, and vendors or individuals seeking to do business with the District.
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-18. With prior approval from the Superintendent or Chief Information Officer—————, staff may direct students who have been issued school-assigned email accounts to use those accounts when signing-up/registering for access to various online educational services, including mobile applications/apps that will be utilized by the students for educational purposes under the
teacher's supervision.
19. Staff members are responsible for good behavior when using District technology and information resources - i.e., behavior comparable to that expected when they are in classrooms, school
hallways, and other school premises and school-sponsored events. Communications on the Internet are often public in nature. The Board does not approve any use of its technology and information resources that is not authorized by or conducted strictly in compliance with this policy and its accompanying procedures -and Policy 7544 and its accompanying procedure-END
OF OPTION.
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[DRAFTING NOTE: Choose the option above if the Superintendent recommends and the Board adopts Policy 7544.]
1
[NOTE: If the use of social media is authorized by Policy 7540 and Policy 7544, choose the appropriate option to match that language]
[NOTE: If the use of social media is authorized by Policy 7540 and Policy 7544, choose the appropriate option to match that language]
<u> </u>
-20. Staff members may only use District technology resources to access or use social media if it is done for educational or business-related purposes.
-21. Staff members use of District technology resources to access or use social media is to be consistent with Policy 7544 and its accompanying procedure.
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[DRAFTING NOTE: Choose the following option to provide further direction to staff regarding the appropriate versus inappropriate use of social media.]
-22. An employee's personal or private use of social media may have unintended consequences. While the Board respects its employees' First Amendment rights, those rights do not include permission to post inflammatory comments that could compromise the District's mission, undermine staff relationships, or cause a substantial disruption to the school environment. This warning
includes staff members' online conduct that occurs off school property including from the employee's private computer. Postings to social media should be done in a manner sensitive to the staff member's professional responsibilities.
member s professional responsibilities.
23. General school rules for behavior and communication apply.
24. Users who disregard this policy and its accompanying procedures may have their use privileges suspended or revoked and disciplinary action taken against them. Users are personally
responsible and liable, both civilly and criminally, for uses of District technology and information resources that are not authorized by this policy and its accompanying guidelines.
25. The Board designates the Superintendent and Chief Information Officer———— as the administrators responsible for initiating, implementing, and enforcing this policy and its accompanying procedures as they apply to staff members' use of District technology and information resources.
accompanying procedures as they apply to stair members use or district technology and information resources.
26. In addition, Federal and State confidentiality laws forbid schools and their employees from using or disclosing student education records without parental consent (see Policy 8330).
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P.L. 110-385, Title II, Protecting Children in the 21st Century Act

47 U.S.C. 254(h),(1), Communications Act of 1934, as amended

20 U.S.C. 6801 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended

20 U.S.C. 6777 (2003) 20 U.S.C. 9134 (2003)

18 U.S.C. 1460

18 U.S.C. 2246

18 U.S.C. 2256

47 C.F.R. 54.515 47 C.F.R. 54.516





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title District-Issued Staff E-Mail Account (Revised)

Code \*po7540.05 1/10/24 AT (Revised)

Status

Adopted May 1, 2002

#### 7540.05 - ELECTRONIC MAIL

The Board is committed to the effective use of electronic mail by all employees of the District in conduct of their official duties. The intent is to assist employees in using electronic messages. It is not meant to limit or discourage the use of electronic mail for conducting business. Rather, it is to establish a framework for the proper use of electronic mail as an official business tool.

The District complies with all Federal and State laws pertaining to electronic mail. State and Federal law exempts certain documents and information within documents from disclosure, no matter what their form. Before electronic mail is released pursuant to a public records request, all exempt information in it must be deleted.

#### 7540.05 - DISTRICT-ISSUED STAFF E-MAIL ACCOUNT

1. The Board is committed to the effective use of electronic mail ("e-mail") by all District staff and Board members in the conduct of their official duties. This policy and any corresponding procedures are intended to establish a framework for the proper use of e-mail for conducting official business and communicating with colleagues, students, parents, and community members.

2. As required by State law, the following statement shall be posted in a conspicuous location on the District's website:

A. "Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail regarding official business to the District or any of its employees. Instead, contact the District or individual employee by phone or in writing."

3. The District complies with all Federal and State laws pertaining to electronic mail. State and Federal law exempts certain documents and information within documents from disclosure, no matter what their form. Before electronic mail is released pursuant to a public records request, all exempt information in it must be redacted.

- 4. When available, the District's e-mail system must be used by employees for any official District e-mail communications.
- a. Personal e-mail accounts on providers other than the District's e-mail system

() b. may be blocked at any time

( ) shall be blocked

( ) shall be blocked

if concerns for network security, SPAM, or virus protection arise. District staff members are expected to exercise reasonable judgment and prudence and take appropriate precautions to prevent viruses from entering the District's network when opening or forwarding any e-mails or attachments to e-mails that originate from unknown sources.

5. District staff members shall not send or forward mass e-mails, even if the e-mails concern District business, without prior approval of the

( ) Director of Technology

() a. site administrator.

( ) \_\_\_\_\_\_[other].

6. District staff members may join list servs or other e-mail services (e.g., RSS feeds) that pertain to their responsibilities in the District, (-)-provided these list servs or other e-mail services do not exceed the staff member's e-mail storage allotment. (-)-If a staff member is unsure whether s/he has adequate storage or should subscribe to a list serv or RSS feed, s/he should discuss the issue with his/her building principal or the District's (-) Director of Technology (-)-IT staff. The

( ) Director of Technology

( ) site administrator

()-a. Chief Information Officer (other)

is authorized to block e-mail from list servs or e-mail services if the e-mails received by the staff member(s) (-)-

7. Staff members are encouraged to keep their inbox and folders organized by regularly reviewing e-mail messages, appropriately saving e-mails that constitute a public record or student record and e-mails that are subject to a litigation hold (see Policy 8315 – Information Management), and purging all other e-mails that have been read. If the staff member is concerned that
his/her e-mail storage allotment is not sufficient, s/he should contact the District's (-) Director of Technology (-) IT staff.
I. Public Records
1. The District complies with all Federal and State laws pertaining to electronic mail. Accordingly, e-mails written by or sent to District staff members and Board members may be public records if their content concerns District business or education records if their content includes personally identifiable information about a student. E-mails that are public records are subject to
retention and disclosure, upon request, in accordance with Policy 8310 – Public Records. E-mails that are student records must be maintained pursuant to Policy 8330 – Student Records. Finally e-mails may constitute electronically stored information ("ESI") that may be subject to a litigation hold pursuant to Policy 8315 – Information Management.
I many e-mails may constitute electromically stored information ( ESF) that may be subject to a hugation floid pursuant to Folicy 6515 – Information Planagement.
2. State and Federal law exempt certain documents and information within documents from disclosure, no matter what their form. Therefore, certain e-mails may be exempt from disclosure of it may be necessary to redact certain content in the e-mails before the e-mails are released pursuant to a public records request, the request of a parent or eligible student to review education
records, or a duly served discovery request involving ESI.
3. E-mails written by or sent to District staff members and Board members by means of their private e-mail account may be public records if the content of the e-mails concerns District
business or education records if their content includes personally identifiable information about a student. Consequently, staff members shall comply with a District request to produce copies of e-mail in their possession that are either public records or education records, or that constitute ESI that is subject to a litigation hold, even if such records reside on a computer owned by an
individual staff member, or are accessed through an e-mail account not controlled by the District.
I to the second of the second
II. Retention
To the second se
1. Durguant to Ctate and Endered law, a maile that are public records or education records and a maile that are cubics to a literation hold shall be retained
1. Pursuant to State and Federal law, e-mails that are public records or education records and e-mails that are subject to a litigation hold shall be retained.
[ ] E mail retention is the responsibility of the individual e mail user. 2. Users must comply with District procedures for properly saving/archiving e-mails that are public records, student education records, and/or subject to a litigation hold. E-mails sent or received using the District's e-mail service ( ) are automatically retained ( ) may only be retained for
(e.g., thirty (30)) days on the server. This retention is for disaster recovery and not to provide for future retrieval. The District does not maintain a central or distributed
e-mail archive of e-mail sent and/or received. Any questions concerning e-mail retention should be directed to the ( ) Director of Technology ( ) site administrator ( ) Chief Information Officer ( )
13. The District maintains archives of all e-mails sent and/or received by users of the District's e-mail service. Staff members are required to forward copies of any e-mails received in their
personal e-mail account(s) not affiliated with the District server to their District server to the District server to the District server to the District server to the Dis
I to the second of the second
III. Unauthorized E-mail
To the second
1. The Board does not authorize the use of its technology resources, including its computer network ("network"), to accept, transmit, or distribute unsolicited bulk e-mail sent through the
Internet to network e-mail accounts. In addition, Internet e-mail sent, or caused to be sent, to or through the network that makes use of or contains invalid or forged headers, invalid or non-
existent domain names, or other means of deceptive addressing will be deemed to be counterfeit. Any attempt to send or cause such counterfeit e-mail to be sent to or through the network is unauthorized. Similarly, e-mail that is relayed from any third party's mail servers without the permission of that third party, or which employs similar techniques to hide or obscure the source of
the e-mail, is also an unauthorized use of the network. The Board does not authorize the harvesting or collection of network e-mail addresses for the purposes of sending unsolicited e-mail.
2. The Board reserves the right to take all legal and technical steps available to prevent unsolicited bulk e-mail or other unauthorized e-mail from entering, utilizing, or remaining within the
network. Nothing in this policy is intended to grant any right to transmit or send e-mail to, or through, the network. The Board's failure to enforce this policy in every instance in which it might have application does not amount to a waiver of its rights.
2. Handbaring up of the natural in conception with the temperature of months and will a well-included by the temperature of counterfeit a well-included in a will and admiral months.
3. Unauthorized use of the network in connection with the transmission of unsolicited bulk e-mail, including the transmission of counterfeit e-mail, may result in civil and criminal penalties against the sender and/or possible disciplinary action.
I and the second se
4. Further, the Board prohibits adults from knowingly distributing to minors any material that is obscene and harmful to minors, as defined in F.S. 847.012, in any format through e-mail sent,
or caused to be sent, to or through the District's network. An adult who knowingly distributes any such material to a minor through e-mail sent, or caused to be sent, to or through the
District's network also commits a felony under State law, and is subject to disciplinary action to and including termination.
IV. Authorized Use and Training
I and the second
1. Pursuant to Policy 7540.04, staff members and Board members using the District's e-mail system shall acknowledge their review of, and intent to comply with, the District's policy on
acceptable use and safety by signing and submitting Form 7540.04 F1 (-) annually.
2. Furthermore, staff members — and Board members using the District's e-mail system shall satisfactorily complete training —, pursuant to Policy 7540.04, regarding the proper use and
retention of e-mail-( ) annually.
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Legal References

F.S. 119.011 F.S. 257.05 F.S. 668.60 et seq. F.S. 668.701 et seq.

# Cross References

## ap7540.05 - PROPER USE OF E-MAIL ACCOUNT

Legal

F.S. 119.011 F.S. 257.05

AGO 96-34

Last Modified by April Terry on January 10, 2024





Book	Policy Manual			
Section	Board Recommended Policy Revisions Up To & Including Vol 24 No1			
Title	District-Issued Student E-Mail Account			
Code	*po7540.06 1/10/24 AT (New)			
Status				
75402 DICTRICT ICCUEN	A CTURENT E MATU ACCOUNT			
75403 - DISTRICT-ISSUEL	STUDENT E-MAIL ACCOUNT			
those to staff members and related projects and assignm	ool e-mail account are required to utilize it for all school-related electronic communications, including individuals and/or organizations outside the District with whom they are communicating for schoolnents. Further, as directed and authorized by their teachers, they shall use their school-assigned e-mail gistering for access to various online educational services, including mobile applications/apps that will be ducational purposes.			
<ol><li>This policy and any corre tool.</li></ol>	sponding procedures serve to establish a framework for student's proper use of e-mail as an educational			
ī				
3. Personal e-mail accounts	on providers other than the District's e-mail system			
I				
( ) a. may be blocked at any	y time			
( ) shall be blocked				
( ) shall be blocked				
if concerns for network security, SPAM, or virus protection arise. Students are expected to exercise reasonable judgment and prudence and take appropriate precautions to prevent viruses from entering the District's network when opening or forwarding any e-mails or attachments to e-mails that originate from unknown sources.				
L				
4. Students shall not send or the	or forward mass e-mails, even if educationally-related, without prior approval of their classroom teacher			
ŧ				
( ) Director of Technology.				
( ) a. site administrator.				
-				
	<del>(other).</del>			
received from the list servs of	rvs or other e-mail services (e.g. RSS feeds) that pertain to academic work, provided the e-mails or other e-mail services do not ( ) become excessive ( ) exceed the students' individual e-mail storage is usually supported by the storage or should subscribe to a list serv or RSS feed, s/he should be classroom teacher, the building principal or the District's ( ) Director of Technology ( ) T staff. The FL-BREVARD-23-1239-A-00063			

( ) a. Director of Technology
( ) site administrator
±
( )(other)
±
is authorized to block e-mail from list servs or e-mail services if the e-mails received by the student ( ) becomes excessive (
<del>) regularly exceed megabytes</del> .
6. Students are encouraged to keep their inbox and folders organized by regularly reviewing e-mail messages and purging e-mails
once they are read and no longer needed for school.
I. Unauthorized E-mail
L. Ollautionzed L-mail
1. The School Board does not authorize the use of its technology resources, including its computer network ("network"), to accept transmit, or distribute unsolicited bulk e-mail sent through the Internet to network e-mail accounts. In addition, Internet e-mail sent, or caused to be sent, to or through the network that makes use of or contains invalid or forged headers, invalid or non-existed domain names, or other means of deceptive addressing will be deemed to be counterfeit. Any attempt to send or cause such counterfeit e-mail to be sent to or through the network is unauthorized. Similarly, e-mail that is relayed from any third party's e-mail servers without the permission of that third party, or which employs similar techniques to hide or obscure the source of the e-mail, is also an unauthorized use of the network. The Board does not authorize the harvesting or collection of network e-mail addresses for the purposes of sending unsolicited e-mail.
2. The Board reserves the right to take all legal and technical steps available to prevent unsolicited bulk e-mail or other unauthorized e-mail from entering, utilizing, or remaining within the network. Nothing in this policy is intended to grant any right transmit or send e-mail to, or through, the network. The Board's failure to enforce this policy in every instance in which it might have application does not amount to a waiver of its rights.
3. Unauthorized use of the network in connection with the transmission of unsolicited bulk e-mail, including the transmission of counterfeit e-mail, may result in civil and criminal penalties against the sender and/or possible disciplinary action.
I to the second of the second
II. Authorized Use and Training
1. Pursuant to Policy 7540.03, students using the District's e-mail system shall acknowledge their review of, and intent to comply with, the District's policy on acceptable use and safety by signing and submitting Form 7540.03 F1 (-)-annually.
2. Furthermore, students using the District's e-mail system shall satisfactorily complete training (), pursuant to Policy 7540.03, regarding the proper use of e-mail () annually.
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Last Modified by April Terry on January 10, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title MOBILE COMPUTING DEVICE ASSIGNMENT AND USE

Code \*\*po7540.08 12/21/23 AT (Rescind);PG 12-21-23

Status

Adopted April 10, 2007

Last Revised August 13, 2019

This policy is being rescinded. Neola po7530.01, po7540.03, & po7540.04 covers this material.

## 7540.08 MOBILE COMPUTING DEVICE ASSIGNMENT AND USE

The Board is committed to the effective use of mobile computing devices by all employees of the District in conduct of their official duties. This policy is not meant to limit or discourage the use of mobile computing devices for conducting District business. Rather, it is intended to establish a framework for the proper assignment and use of mobile computing devices as an official District business tool in accordance with the administrative procedures established pursuant to this policy.

The District complies with all Federal and State laws pertaining to mobile computing devices.

Revised 10/28/14 Revised 8/13/19

## © Brevard 2019

Last Modified by Paul Gibbs on December 21, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title DISTRICT WEB SERVICES POLICY

Code \*\*po7540.10 12/8/23 AT (RESCIND);PG 12-19-23

Status

Adopted April 22, 2008

This policy is being rescinded. This material is covered in NEOLA po7540.02.

## 7540.10 DISTRICT WEB SERVICES POLICY

The Board is committed to the effective use of web services by all employees of the District in conducting their official duties. Web services include and are not limited to the following: BLOGS, list servers, Wiki's, and other collaborative Internet based communication tools to bring educators together to serve the best interests of the District's educational mission.

The intent is to assist employees in using BLOGS and other web services. It is not meant to limit or discourage the use of BLOGS or other global communications for conducting business. Rather, it is to establish a framework for the proper use of these web services as an official business tool.

The District complies with all Federal and State laws pertaining to District web services.

Last Modified by Paul Gibbs on December 19, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title NETWORK ACCESS FROM PERSONALLY-OWNED COMPUTERS AND OTHER WEB- ENABLED

**DEVICES** 

Code \*\*po7540.12 12/11/23 AT (RESCIND);PG 12-19-23

Status

Adopted April 27, 2010

## This policy is being rescinded and replaced with NEOLA policy po7530.02.

#### 7540.12 NETWORK ACCESS FROM PERSONALLY-OWNED COMPUTERS AND OTHER WEB- ENABLED DEVICES

The Board is committed to the effective use of computing devices by District Board members, employees, students, contractors, vendors or agents in conduct of District Business. This policy is not meant to limit or discourage the use of personally owned computing devices for conducting business. Rather, it is to establish a framework for the proper use of personally owned computing devices as an official business tool while protecting the integrity and confidentiality of District Data.

The intent of this policy is to assist District Board members, employees, students, contractors, vendors or agents in properly using any non district owned computing devices (while on school property) to connect to the internet. This includes but is not limited to Laptops, Smart phones and personal computers.

Any Board member, employee, student, contractor, vendor or agent of the District who violates the District's Acceptable Use policy, or who accesses any server and network without authorization may be subject to disciplinary action, up to and including termination of employment if a District employee, denial of access if a Board member, expulsion if a student, or cancellation of the contract with the District if a contractor, vendor or agent. Further, the Board member, employee, student, contractor, vendor, or agent of the District who violates the established standards or who violates the District's Acceptable Use policy may be denied access to the District's Technology resources in the future.

All business data stored on any non District owned computing device is subject to the same public records laws as District owned devices. The District complies with all Federal and State laws governing data protection.

Last Modified by Paul Gibbs on December 19, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title UTILIZATION OF THE DISTRICT'S WEBSITE

Code \*\*po7540.13 12/11/23 AT (RESCIND); PG 12-19-23

Status

Adopted April 27, 2010

Last Revised October 28, 2014

## This policy is being rescinded and replaced with NEOLA policy 7543.

### 7540.13 UTILIZATION OF THE DISTRICT'S WEBSITE

Access to the District's Website http://www.brevardschools.org is encouraged.

Numerous resources are available on the District's website: such as the District's calendar of events, District news, District applications, Board agendas and minutes, community forums, BPS highlights and other essential educational materials. The Board encourages employees, parents, students, and community members to check the District's website regularly for changes to these and the other educational resources provided.

The Board is committed to providing web access to District Board members, employees, students, contractors, vendors or agents of the District in conduct of their official duties. This policy is not meant to limit or discourage the use of remote access to District applications for conducting business. Rather, it is to establish a framework for the proper use of remote access to these applications as an official business tool while maintaining confidentiality, integrity, and availability of District data.

The intent of this policy is to assist District Board members, employees, students, contractors, vendors or agents in remotely accessing any District applications via the "internet" (while away from school property), in a secure, responsible manner; thus providing 24x7 access to District applications to support the mission of education. This includes, but is not limited to laptops, smart phones and personal computers.

All District business data stored on any non district owned computing device is subject to the same public records laws as District owned devices. The District complies with all Federal and State laws governing data protection.

Revised 10/28/14

Last Modified by Paul Gibbs on December 19, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title INTERNET FILTERING POLICY

Code \*po7540.06 12/19/23 AT (Renumbering to po7540.99)

Status

Adopted July 16, 2002

Rescind this policy. Policy number has been revised to 7540.02.

### 7540.<del>06</del>99 - INTERNET FILTERING POLICY

The Board will maintain an all-user filter of selected web sites and service's that applies to all District schools and departments. Objectionable or educationally inappropriate sites and services will be "blocked" from direct access by all school district student and employee users. Each individual user's responsibility is the first and primary means for ensuring appropriate access, according to the Acceptable Use Procedures. This step is taken to ensure that Internet sites or capabilities are directly available to users when they are consistent with the District's educational mission and acceptable instructional purposes.

The filtering mechanism and procedures implemented will meet and/or exceed all requirements of the Federal CIPA (Children's Internet Protection Act) legislation.

Last Modified by April Terry on January 10, 2024







Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title ACCESS TO DISTRICT TECHNOLOGY AND/OR INFORMATION RESOURCES FROM WIRELESS COMMUNICATION DEVICES

Code \*po7542 12/20/23 AT (New)

Status

#### 7542 - ACCESS TO DISTRICT TECHNOLOGY AND/OR INFORMATION RESOURCES FROM WIRELESSPERSONAL COMMUNICATION DEVICES

I. The School Board provides both a guest network and business network. The business network is a secure network for the conduct of official District business. Access to the business network requires prior approval and authorization by the District. The guest network is a CIPA-compliant non-secured network provided for use by students, parents, and other visitors while on school property. Only Board-approved communication devices and authorized users may access the business network. Any non-Board-approved communication devices or non-authorized users must be pre-approved by the Superintendent or designee.

II. The Board permits District

-

A. Board members,

-

B. employees,

C. students,

-

1. as well as

-

2. contractors.

-

3. vendors.

-

-agents.

-3-...-,

to<del>of the District may</del> use their WCDs (as defined in Bylaw 0100) personal communication devices to wirelessly access the District's technology resources (see definition in Bylaw 0100) and/or information resources (as defined in Bylaw 0100) (guest or business networks, servers, printers, smart boards, etc.) while they are on-site at any District facility. (1) Access to the business/guest network shall require authentication.

III. The Chief Information Officer is charged with developing the necessary standards for connecting WCDs to the District's technology resources and information resources (e.g., servers, networks, printers, projectors, smart boards, etc.). Access to these standards for connecting to the District's technology resources using a personal communication device of any type shall be provided upon request for all to whom this policy applies. The standards shall be available upon request.

IV. The standards shall be designed and enforced to minimize the Board's exposure to damages, including, but not limited to, the loss of confidential data/information, illegal access to confidential data/information, damage to the District's intellectual property, damage to the District's public image/reputation, and damage to the District's critical internal systems, from unauthorized use.

V. The use of WCDspersonal communication devices must be consistent with the established standards for appropriate use as defined in Policy 7540.03 and AP 7540.03 - Student TechnologyNetwork and Internet Acceptable Use and Safety and Policy 7540.04 and AP 7540.04 - Staff TechnologyNetwork and Internet Acceptable Use and Safety, Policy 5136 - Wireless Communication Devices and AP 5136 - Cellular Telephones and Electronic Communication Devices, and Policy 7530.02 - Staff Use of Personal Communication Devices. When an individual connects to and uses the District's technology and/or information resources, s/he must agree to abide by all applicable policies, administrative procedures, guidelines and laws and regulations (e.g., the user will be presented with a "splash screen" that will set forth the terms and conditions under which s/he will be able to access the District's technology and/or information resource(s); the user will need to accept the stated terms and conditions before being provided with access to the specified technology resource(s).

VI. In order to comply with the Children's Internet Protection Act ("CIPA"), the Board has implemented utilizes technology protection measures that protect against (e.g., filter or block") access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors. The Board also utilizes software and/or hardware to monitor online activity to restrict access to child pornography and other material that is obscene, objectionable, inappropriate and/or harmful to minors.

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VII. Any user who violates the established standards and/or the Board's acceptable use policyBoard policies identified above, or who accesses the District's technology and/or information resources without authorization may be prospectively denied access to the District's technology and/or information resources. If a contractor, vendor or agent of the District commits—the violation is committed by a contractor, vendor, or agent of the District, the contract may be subject to cancellation. Further, disciplinary action may be taken if a student or employee commits—the violation is committed by a student or employee.

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VIII. The owner of a WCD<del>PCD</del> bears all responsibility and assumes all risk of theft, for loss, or damage to, or misuse or unauthorized use of the device<del>said property</del> while it is on Board property. This provision applies, without limitation, to everyone, regardless of their affiliation or connection to the Districtstudents, employees, contractors, vendors, agents, invitees, visitors, and

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Cross References

po7540.03 - STUDENT NETWORK AND INTERNET ACCEPTABLE USE AND SAFETY

po7540.04 - STAFF NETWORK AND INTERNET ACCEPTABLE USE AND SAFETY

Last Modified by April Terry on January 9, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title UTILIZATION OF THE DISTRICT'S WEBSITE AND REMOTE ACCESS TO THE DISTRICT'S

**NETWORK** 

Code \*po7543 12/8/23 AT (NEW)

Status

## 7543 - UTILIZATION OF THE DISTRICT'S WEBSITE AND REMOTE ACCESS TO THE DISTRICT'S NETWORK

I. Parents/legal guardians, students, staff members/employees, and community members are encouraged to access Access to the District's website (www.Brevardschools.org )-is encouraged.

- II. The following resources are shall be available on the District's website:
  - A. () links to school websites
  - B. ( ) school/District departments
  - C. ( ) the District's calendar of events
  - D. (gradebook program)
  - E. ( ) (required State report)School-Board agendas and minutes
  - F. ( ) School Board agendas and minutes information concerning the District's anti-discrimination policies and procedures, including Section 504/ADA complaint procedures
  - G. **G.** ( ) information concerning the District's anti-discrimination policies and procedures, including Section 504/ADA complaint procedures required forms
  - H. ( ) summary of all reported bullying incidents (updated twice a year) employment and volunteer opportunities
  - I. ( ) required forms contact information
  - J. ( ) employment and volunteer opportunities school choice options
  - K. ( ) resources for additional information during a crisis/emergency situation
  - L. ( ) contact information
  - M. ( ) school choice options (e.g., school choice options)

l. <del>( )</del>\_\_\_\_\_

III. Parents/legal guardiansThe School Board encourages employees, parents, students, staff members/employees, and community members shouldto check the District's website regularly for changes to these resources and for the addition of other resources. Some resources may require a user name and password, or a login procedure due to the personally identifiable nature of the information provided through that resource (e.g., the gradebook program and e-mail system). If a user name and password, or logonlogin procedure, is necessary to access a resource, the user should contact the applicable school or department for accessinformation shall be provided on the website explaining who is eligible for a user name and password, how to obtain a user name and password, and detailed instructions concerning the login process.

```
[NOTE: Please choose one (1) of the following options.]
 Option #1
 [ ] Board members
 [ ] District employees,
 [ ] Students,
 (), as well as
 ( ) contractors,
 ( ) vendors,
 ( ) agents
 of the District, are not permitted to use their personally owned or District owned computer or workstations
 ( ) and/or web enabled devices of any type
 to remotely (i.e. away from District property or facilities) access the District's server and connect to the District's networkNetwork.
 [ ] Any exceptions to this policy must be approved in advance, in writing, by the Superintendent.
 [END OF OPTION #1]
 Option #2
 [ ] Board members
 a. District employees
 [ ] Students
 <del>( )</del>b. , as well as
 () c. contractors,
 <del>( ) </del>d. vendors,
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V. of the District, are permitted to use their personally-owned or District-ow	ned computer or workstations
( )-a. and/or web-enabled devices of any type	
VI. to remotely (i.e. away from District property and facilities) access the Di District's network Network. This policy is limited to remote access connection of the District, including, but not limited to, reading or sending e-mail and read completing assigned coursework.	s that are used to do work on behalf of or for the benef
VII. Each individual granted remote access privileges pursuant to this policy regulations:	must adhere to the following standards and
A. ( ) hhis/her device-computer/device must have active on it an, at the updates from the manufacturersoftware specified in the District's star	
B. ( ) the individual may only access the network Network using his/her	assigned user name and password
The individual is prohibited from allowing <del>must not allow</del> other person user name and password to logon to <del>login into</del> the network <del>Network</del> . T	
C. ( ) his/her device may not be connected to any other network at the with the exception of personal networks that are under the complete	
D. the individual may not access non District e mail accounts (e.g. Hotmesources while connected to the Network	nail, Gmail, Yahoo, AOL, and the like) or other external
E. ( ) his/her device may not, at any time while the individual is using reconfigured for the purpose of connecting to another (an additional)	
F. (-)-D. use of the network, whether connected directly or remotely, Note that the same and conditions of the Board's Technology District's Network and procedures	
( )-E. Users are may be required to sign the applicable agreement for permitted to use remote access.	m (Form 7540.03 F1 or Form 7540.04 F1) prior to bein
[ ] Additional standards and regulations for remotely accessing and connection and published in AP 7543 — Standards and Regulations for Remote Access and Page 14 published in AP 7543 — Standards and Regulations for Remote Access and Page 14 published in AP 7543 — Standards and Regulations for Remote Access and Page 14 published in AP 7543 — Standards and Regulations for Remote Access and Page 14 published in AP 7543 — Standards and Regulations for Remote Access and Page 14 published in AP 7543 — Standards and Regulations for Remote Access and Page 14 published in AP 7543 — Standards and Regulations for Remote Access and Page 14 published in AP 7543 — Standards and Regulations for Remote Access and Page 14 published in AP 7543 — Standards and Regulations for Remote Access and Page 14 published in AP 7543 — Standards and Regulations for Remote Access and Page 14 published in AP 7543 — Standards and Regulations for Remote Access and Page 14 published in AP 7543 — Standards and Regulations for Remote Access and Page 14 published in AP 7543 — Standards and Regulations for Remote Access and Page 14 published in AP 7543 — Standards and	-
VIII. Any user who violates this policy may be denied remote access and co	nnection privileges.
[END OF OPTION #2]	
IX. Any employee who violates this policy may be disciplined, up to and inclagent-who violates this policy may have his/her contract with the District tepolicy-may be disciplined up to and including suspension or expulsion.	
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Last Modified by Ronna Schindler on January 10, 2024	FL-BREVARD-23-1239-A-000675



Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title MANDATORY REPORTING OF MISCONDUCT BY CERTIFICATED EMPLOYEES

Code \*po8141 12-15-23 JR

Status

Adopted April 28, 2009

### 8141 - MANDATORY REPORTING OF MISCONDUCT BY CERTIFICATED EMPLOYEES

The Board recognizes its responsibilities to effectively address employee misconduct and, where determined appropriate, to provide a measured disciplinary response consistent with due process. In addition, with respect to certificated and/or certificated professional staff members, matters of misconduct, including conviction of certain crimes enumerated by law and/or conduct which is unbecoming to the teaching profession, will be reported by the Superintendent to the Florida Department of Education.

#### I. Reporting Professional Misconduct

District staff are required to report to the Superintendent or the Superintendent's designee alleged misconduct by District employees which affects the health, safety, or welfare of a student.

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, 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).

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

### II. 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 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 Policy 3590, and Policy 4590, including the statutory requirement that school administrators, educational support person 230123504103504

#### **Parental Notification of Arrests of Employees**

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

#### IV. Filing a Complaint with the Department of Education

If it is alleged that an instructional staff member 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. 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)).

#### V. Report of Resignation or Termination

If the Superintendent determines that misconduct by an instructional staff member or an administrator who holds a certificate issued by the Florida Department of Education 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 report the misconduct to the Department of Education in the format prescribed by the Department. The Department shall maintain each report of misconduct as a public record in the instructional personnel's certification files (F.S. 1012.796(d)).

#### VI. 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.

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

#### VII. 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 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 personnel 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 personnel 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)).

# VIII. 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 personnel or school administrators 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 personnel or school administrators who fail to report suspected or actual child abuse or alleged misconduct by other instructional 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.



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 James Rehmer on January 5, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title EMERGENCY MANAGEMENT, EMERGENCY PREPAREDNESS, AND EMERGENCY RESPONSE

**AGENCIES** 

Code \*po8420 1/9/24 CR

Status

Adopted May 1, 2002

Last Revised June 30, 2020

Last Reviewed January 11, 2024

#### 8420 - EMERGENCY MANAGEMENT, EMERGENCY PREPAREDNESS, AND EMERGENCY RESPONSE AGENCIES

#### A. Emergency Management and Emergency Preparedness

- 1. The 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 to, fires; natural disasters; bomb threats; weapon-use, hostage, and active assailant situations; hazardous materials or toxic chemical spills; weather emergencies, including hurricanes, tornadoes, and severe storms; and exposure as a result of a man-made emergency and that such emergencies are best met by preparedness and planning.
- 2. Policies and procedures for emergency drills and fire drills shall be developed in consultation with the appropriate public safety agencies, including at a minimum, law enforcement, fire service, and emergency management.
- 3. Critical incident training/drills for each school must engage the participation of the Safe School Officer (ex. School Resource Officer (SRO) or Specialist Safety and Security), threat assessment team members, staff, and students and must be facilitated by the law enforcement agency or agencies that are designated as first responders to each school's campus.
- 4. Pursuant to Policy 8405, the Superintendent (in conjunction with District Security, school administration, and the Safe School Officer) shall create, and revise as necessary, a School Emergency Operation Plan (SEOP) to provide for the safety and welfare of the students and staff, as well as, a system of emergency preparedness and accompanying procedures that provide for the following:
  - a. a listing of the commonly used alarm system response for specific types of emergencies and verification by each school that drills have been provided as required by law, State Board of Education rules, and fire protection codes (such drills shall include accommodations conducted at exceptional student education centers);
  - b. verification by each school that drills have been provided as required by law and fire protection codes;
  - c. the health and safety of students and staff are safeguarded;
  - d. embraces a collaborative effort with community emergency responders;
  - e. the time necessary for instructional purposes is not unduly diverted;
  - f. minimum disruption to the educational program occurs;
  - g. students are helped to learn self-reliance and trained to respond sensibly to emergency situations;

- h. the system is supported by ongoing training that will include practical application and appropriate drills as required by F.S. 1001.42;
- i. evacuation drills should represent actual emergencies, including, but not limited to active assailant, natural disasters, and bomb threats;
- j. 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);
- k. drills for active assailant and hostage situations shall be conducted at least as often as other emergency drills and in accordance with developmentally appropriate and age-appropriate procedures in conjunction with emergency drills; and
  - 1. Law enforcement officers responsible for responding to the school in the event of an active assailant emergency, as determined necessary by the sheriff or LEO in coordination with Principals and/or the District's School Safety Specialist, must be physically present on campus and directly involved in the execution of active assailant drills. The District's School Safety Specialist Principals must notify law enforcement officers at least twenty-four (24) hours before conducting an active assailant emergency drills at which such law enforcement officers are expected to attend.
- floor plans of each school must be provided to all community emergency responders in support of evacuation procedures.
- 5. All threats to the safety of District facilities, student, 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 Emergency Operation Plan (SEOP) shall remain confidential and exempt from public records disclosure in accordance with State law.
- 6. The Superintendent, or designee, 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.
- 7. Completion of emergency drills shall be documented at all school facilities in the District.

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

- 8. identify the type of drill, location and date of the drill, participants, and involvement of law enforcement or other public safety agencies;
- 9. describe actions taken by participants;
- 10. analyze areas of success and areas where improvement is needed;
- 11. include input from public safety agencies; and,
- 12. include a plan for corrective action.
- 13. After-action reports must be submitted to the District school safety specialist for review fifteen (15) calendar days following completion of the drill.

#### B. Alyssa's Alert/Mobile Panic Alert System

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

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

The District's policies and procedures related to Alyssa's Alert/Mobile Panic Alert Systems will be developed in consultation with the County 911 authority and local emergency management office to ensure that the system integrates with local public safety answering point (PSAP) infrastructure to transmit calls and mobile activations. FL-BREVARD-23-1239-A-000680

#### C. Emergency Response Agencies (List of Primary Response Agencies)

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

1. Fires:

Brevard County Fire Rescue Municipality-based Fire Rescue Departments

2. Natural Disasters:

Brevard County Emergency Management Brevard County Fire Rescue Municipality-based Fire Rescue Departments Law Enforcement agency with jurisdiction over the District location

3. Bomb Threats:

Brevard County Sheriff's Office Law Enforcement agency with jurisdiction over the District location

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

Brevard County Sheriff's Office Law Enforcement agency with jurisdiction over the District location

5. Hazardous Materials or Toxic Chemical Spills:

Brevard County Fire Rescue Municipality-based Fire Rescue Departments

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

Brevard County Emergency Management Brevard County Fire Rescue Municipality-based Fire Rescue Departments

7. Exposure as a Result of a Manmade Emergency:

Brevard County Emergency Management Brevard County Fire rescue Municipality-based Fire Rescue Department

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

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

1. administrators;

2. threat assessment team members, staff members, as appropriate to a non-critical incident;

3. any employee during a critical incident.

F. The Superintendent shall develop administrative procedures for the handling of all emergency evacuations. The information in this section shall be part of the School Safety and Security Plan, and, therefore, confidential.

Revised 6/30/20 1/11/2023

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Legal F.A.C. 6A-1.0018

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)

Cross References po7440.01 - PROTECTION OF PERSONNEL AND PROPERTY

po8405 - SCHOOL SAFETY AND SECURITY

ap8420 - SHELTER IN PLACE/EVACUATION - EVACUATION

Last Modified by Cynthia Rayen on January 11, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title DIRECT CONTACT COMMUNICABLE DISEASES

Code \*po8453 DH & CR 12.20.23

Status

Adopted May 1, 2002

Last Revised April 22, 2008

#### 8453 - DIRECT CONTACT COMMUNICABLE DISEASES

The Board seeks to provide a safe educational environment for students and staff. This can best be accomplished by assuring that all persons within the school community understand the method of transmission and prevention of diseases that are not contracted through air-borne pathogens, but rather, through direct contact with body fluids and excretions, especially blood, vomit, feces, or urine. The Board is also committed to assuring the confidential status of individuals who may have been diagnosed with a blood-borne communicable disease. Student instruction will be developmentally appropriate.

For purposes of this policy, these disease shall include:

- A. HIV (Human Immunodeficiency Virus);
- B. AIDS (Acquired Immune Deficiency Syndrome);
- C. AIDS related complex (condition);
- D. HAV, HBV, HCV (Hepatitis A, B, C);
- E. other diseases that may be specified by the State Department of Health as contact communicable diseases.

The Board recognizes the fact that individuals who have contracted these diseases may not exhibit symptoms for many years after exposure and may, in fact, not be aware that they have contracted the disease. They are, however, able to transmit the disease to other individuals.

The Board authorizes the Superintendent to include instruction regarding blood—borne communicable diseases in the health curriculum. Instruction may include, but is not limited to, information about the known modes of transmission, signs and symptoms, risk factors associated with acquired immune deficiency syndrome, and means used to control the spread of acquired immune deficiency syndrome.

The programs provided for students shall be age and grade appropriate and shall reflect current theory, knowledge, and practice regarding blood borne communicable diseases and their prevention.

With this in mind, the Board directs the Superintendent to develop programs/procedures for students and staff for the purpose of understanding the manner in which these diseases may be prevented and how they are transmitted. These programs/procedures should specify, the risk factors involved, how to deal with those risks, and emphasize the fact that these diseases are preventable if basic precautions are taken.

The Board further directs the Superintendent to assure that sStudents or staff who reveal the fact they have contracted one (1) of these diseases will have their status safeguarded in accordance with Federal and State statutes dealing with confidentiality, as well as Board Policy 8310 and Policy 8330. Furthermore, and that their civil rights will be respected.

It is the policy of the Board that the harassment of, or discrimination against, any student or employee because the individual has, or is thought to have, a blood-borne communicable disease is prohibited. Such harassment shall constitute a violation of Board Policy 1362, Policy 3362, Policy 4362, or Policy 5517, and such discrimination shall constitute a violation of Board Policy 1122, Policy 2260 and, Policy 3122, or Policy 4122.

Staff members with one (1) of the blood-borne communicable diseases listed above will be expected to perform their regular duties. Staff members with one of these diseases will have access to District leave policies in accordance with Board policy and negotiated agreement, and will have opportunities for reasonable accommodation as described by in accordance with the Americans with Disabilities Act.

Students with one (1) of the blood-borne communicable diseases listed above have the right to a free and appropriate public education, without restriction. Accordingly, a student with one of these diseases will be expected to maintain regular attendance, as required by State law. If an alternate placement is necessary or deemed appropriate or if the student needs related services, the District shall comply with the requirements of Section 504, IDEIA, and/or the ADA, and shall follow the guidelines for such alternate placement established by the USDOE's Office for Civil Rights. Lastly, should a student be unable to attend school as a result of the illness, an alternative education program shall be provided in accordance with Board Policy 2412 - Homebound Instruction Program. Should a student be unable to attend school as a result of illness, an alternative education program shall be provided in accordance with the Board's policy and administrative procedures dealing with homebound instruction.

#### Revised 4/22/08

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Legal F.S. 1006.07

F.S. 1003.42 F.S. 1001.41

Last Modified by Dorinda Howard on December 21, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title STUDENT ABUSE AND NEGLECT

Code \*po8462 12.20.23 JJ

Status

Adopted May 1, 2002

Last Revised April 10, 2007

#### 8462 - STUDENT ABUSE AND NEGLECT

In compliance with Board policy and State statute, all staff members are required to report to the proper legal authorities any sign of child abuse or neglect. The child may suffer from physical abuse and neglect, sexual abuse, and/or emotional maltreatment. Physical abuse is the non accidental, physical injury of a child; physical neglect is the failure to provide proper prenatal care, support medical attention, and education for a child; sexual abuse is any indecent sexual activity; and emotional maltreatment is failure to provide warmth, attention, supervision, and/or normal living experiences for a child.

A child who is being abused may also:

- A. be hyperactive;
- B. act fearful of adults;
- C. cling to adults:
- D. be anxious, tense, and nervous.

### Suspected Abuse/Neglect by Parents

Parents who are abusing their children may:

- A. be reluctant to give information;
- B. describe a story that doesn't fit the injury;
- C. have an inappropriate reaction to severity of injury;
- D. express unreasonable expectations for child's performance;
- E. claim conditions that do not exist, e.g.,

"S/He bruises easily."

"S/He moves constantly." (child sits quietly)

 F. indicate family problems such as marital discord, crowding, financial stress, psychological disorders, retardation, alcohol or drug addiction, etc.



In accordance with law, a child is in need of services, if before s/he is eighteen (18) years of age, one (1) of the following conditions exist and the child needs care, treatment, or rehabilitation that the child is not receiving; and is unlikely to be provided or accepted without coercive intervention of the court.

- A. The child's physical or mental condition is seriously impaired or seriously endangered as a result of the inability, refusal, or neglect of the child's parents, guardian, or custodian to supply the child with necessary food, clothing, shelter, medical care, education, or supervision.
- B. The child's physical or mental health is seriously endangered due to injury by the act or omission of the child's parent, quardian, or custodian.
- C. The child is the victim of a sex offense under State law.
- D. The child's parent, guardian, or custodian allows the child to participate in an obscene performance (as defined by State law).
- E. The child's parent, guardian, or custodian allows the child to commit a sex offense prohibited by State law.
- F. The child substantially endangers the child's own health or the health of another individual.
- G. The child's parent, guardian, or custodian fails to participate in disciplinary proceedings in connection with the student's improper behavior, as provided for by State law, if the behavior of the student has been repeatedly disruptive in the school.
- H. The child is a missing child (as defined in State law).
- I. The child is deprived of nutrition that is necessary to sustain life or is deprived of medical or surgical intervention that is necessary to remedy or ameliorate a life threatening medical condition; if the nutrition, medical, or surgical intervention is generally provided to similarly situated children with or without disabilities.
- J. If a parent, guardian, or custodian fails to provide specific medical treatment for a child because of the legitimate and genuine practice of the religious beliefs of the parent, guardian, or custodian, a rebuttable presumption arises that the child is not a child in need of services because of the failure. However, this presumption does not do any of the following:
  - 1. prevent a juvenile court from ordering, when the health of a child requires medical services from a physician licensed to practice medicine in Florida;
  - 2. apply to situations in which the life or health of a child is in serious danger;
  - limit the right of a parent, guardian, or custodian of a child to use reasonable corporal punishment when disciplining the child;
  - 4. limit the lawful practice or teaching of religious beliefs.

#### **Procedures for Reporting**

All suspected cases are to be reported even if documentation is not available. In accordance with statute there is a duty for a staff member to immediately notify the Department of Children and Family Services and the law enforcement agency of jurisdiction. A "victim of child abuse or neglect" refers to a child in need of services as described above. It does not include a child who is alleged to be a child in need of services if the child is alleged to be a victim of a sexual offense under State law involving the fondling or touching of the buttocks, genital, or female breasts.

The law provides protection for the reporting staff member. All staff members are to report to the student's principal who, in turn, shall make an oral report to Children's Protection Service Central Abuse Hotline, using the single State-wide toll-free telephone number: 1-800-96-ABUSE (1-800-962-2873) and the local law enforcement agency. The staff member is not relieved of the obligation to report to the above agencies unless a report has already been filed to the best of the individual's belief. A person who is required to report known or suspected child abuse, abandonment, or neglect, and who knowingly and willfully fails to do so, or who knowingly and willfully prevents another person from doing so is guilty of a misdemeanor of the first degree.

It is the responsibility of the Children's Protection Service to investigate possible abuse and/or neglect and prepare a written report within forty-eight (48) hours. School personnel should not pressure the child to divulge information regarding any injury or other circumstances surrounding the abuse and/or neglect. The school need not provide that abuse and/or neglect exists before reporting. They need only suspect that abuse and/or neglect has or is currently occurring.

# Investigation of Child Abuse or Neglect

Investigators who seek to interview a student who is a suspected victim of abuse or neglect must make the request to the principal who shall determine from the investigator whether or not it is appropriate to notify the student's parents. If it is appropriate, the principal should notify the parents of the time and place of the impending interview.

#### Suspected Abuse by Staff Members

If a staff member is suspected of abuse, his/her supervisor should be notified immediately and the matter kept in strict confidence by the reporting person. The supervisor shall follow the District's due process procedures for dealing with an employee's real or alleged violation of any law or District policy. This procedure does not negate the requirement for the reporting person to report the suspected abuse to the proper agency.

The School Board is concerned with the physical and mental well-being of the students of this District and requires that school employees comply with the mandated identification and reporting of known or suspected cases of child abuse, abandonment, or neglect in accordance with law.

#### Reporting Known or Suspected Cases

A. Any person, including teachers, administrators, support personnel, and other District and school personnel who knows, or has reasonable cause to suspect that a child or a student has been abused, abandoned, or neglected by a parent, legal custodian, caregiver, adult, or other person responsible for the child's welfare or that a child is in need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care shall report such knowledge or suspicion to the Department of Children and Families in a manner prescribed by law.

Further any person, including teachers, administrators, support personnel, and other District and school personnel, who knows, or has reasonable cause to suspect, that a child or a student is the victim of childhood sexual abuse or the victim of a known or suspected juvenile sexual offender, shall report such knowledge or suspicion to the Department of Children and Families in a manner prescribed by law.

A person who is required to report known or suspected child abuse, abandonment, or neglect and who knowingly and willfully fails to do so, or who knowingly and willfully prevents another person from doing so commits a felony of the third degree.

- B. The proper procedure for reporting known or suspected cases of child abuse, abandonment, and neglect is:
  - 1. Make a report immediately to the Department of Children and Families central abuse hotline, using the single Statewide toll-free telephone number: 1-800-96-ABUSE (1-800-962-2873), or via fax, web-based chat, or web-based report. School employees reporting such cases are required to provide their names to the hotline staff. The names of reporters shall be entered into the record of the report, but shall be held confidential and exempt as provided by law.
  - 2. As soon as practicable after making the report, the school staff member shall inform the principal or supervisor of his/her knowledge or suspicions, and advise that individual that the report has been made.
- C. School employees are to be advised that reporting their knowledge or suspicions of suspected abuse to a principal, or supervisor, or other school or District personnel does not comply with the mandatory reporting requirements of the law. The principal, supervisor, and other school or District personnel who are informed of suspected abuse, abandonment, and neglect likewise have an obligation to report to the central abuse hotline as required by law.
- D. No employee of the District shall be subject to reprisal or discharge because of his/her actions in reporting abuse or neglect pursuant to the requirements of F.S. 39.203.
- E. No Board employee may agree, as a condition of receiving information about child abuse, neglect, or abandonment from a victim, a perpetrator, witness, or other person, that the Board employee will not report this information as required by law and this Board policy.

#### **False Reports**

A person who knowingly and willfully makes a false report of child abuse, abandonment, or neglect, or who advises another to make a false report, is guilty of a felony of the third degree and may be subject to other penalties in accordance with Florida law.

# **Posting of Notices**

Each school in the District shall:

A. post in a prominent place in each school a notice that, pursuant to F.S. Chapter 39, all employees and agents of the Board have an affirmative duty to report all actual or suspected cases of child abuse, abandonment, or neglect; have immunity from liability if they report such cases in good faith; and have a duty to comply with child protective investigations and all other provisions of law relating to child abuse, abandonment, and neglect;

The notice shall also include the Statewide toll-free telephone number of the central abuse hotline.

- B. post in a prominent place at each school site and on each school's Internet website, if available, the policies and procedures for reporting alleged misconduct by instructional personnel or school administrators 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 personnel or school administrators who fail to report suspected or actual child abuse or alleged misconduct by other instructional personnel or school administrators;
- C. post in a prominent place, in a clearly visible location and public area of the school, readily accessible to and widely used by students, a sign in English and Spanish that contains:
  - 1. the Statewide toll-free telephone number of the central abuse hotline as provided in F.S. Chapter 39;
  - 2. instructions to call 911 for emergencies; and
  - 3. directions for accessing the Department of Children and Families Internet website for more information on reporting abuse, neglect, and exploitation.

The notice must be on at least one (1) posted in each school, on a sheet that measures at least 11 inches by 17 inches, produced in large print, and placed at student eye level for each viewing.

#### **Training**

All **teachers, instructional staff members** in grades K-12 and all school administrators, psychologists, nurses, and social workers are required to participate in the continuing education training provided by the Department of Children and Family Services on identifying and reporting child abuse and neglect.

#### Liaison

The Superintendent will act as a liaison to the Department of Children and Families and the child protection team, when a case of suspected child abuse, abandonment, or neglect or an unlawful sexual offense involving a child is referred to such a team.

The Superintendent shall also serve, or nominate a designee to represent the District, on the Local Child Abuse Death Review Committee as required by State law. The Superintendent shall also require District staff, who, in a professional capacity, dealt with a child whose death is verified as caused by abuse or neglect, or with the family of the child, to attend any meetings of the local committee at which the child's case is reviewed.

#### Liability

Employees who report abuse, abandonment, and/or neglect of a student may be entitled to certain statutory liability protections as set forth in F.S. 39.203.

F.S. 39.01(47)

F.S. 39.201

F.S. 39.202

F.S. 39.203

F.S. 39.204

F.S. 39.205

F.S. 39.206

F.S. 39.303

F.S. 383.402

F.S. 1001.41

F.S. 1001.42 F.S. 1006.061 F.S. 1012.98

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Last Modified by Jayna Jenkins on December 20, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title COMMUNITY NOTIFICATION OF REGISTERED SEXUAL PREDATORS/SEX OFFENDERS

Code \*po8470 121923 as 1/9/24 CR

Status

Adopted May 1, 2002

Last Revised January 17, 2008

#### 8470 - COMMUNITY NOTIFICATION OF REGISTERED SEXUAL PREDATORS/SEX OFFENDERS

The School Board is committed to assisting the sheriff and chiefs of police with their statutory requirement for mandatory community notification of sexual predators and optional community notification with regard to sex offenders as required by the Public Safety Information Act, 1997.

#### **Distribution of Information Provided to School**

- A. All posters and/or other information provided directly to schools by the sheriff or chief of police will be maintained by the school for review by parents, students, and other members of the public. The principal will maintain an updated binder system of offenders for review by parents, students, and other members of the public. This is the primary means of notification to schools for the purpose of community notification within each law enforcement jurisdiction. This is a means of notification to schools for the purpose of community notification within each law enforcement jurisdiction and is meant to be supplemental.
- B. All posters and/or other information provided directly to the Office of District and School Security by the sheriff or chief of police will be distributed to all schools within the District. The principal will also include this information of offenders in the updated binder system of offenders for review by parents, students, and other members of the public. This is a secondary means of notification to schools for the purpose of community notification within each law enforcement jurisdiction and is meant to be supplemental.

#### **Resource Information**

Upon request tThe District will provide direction a supplemental pamphlet to assist parents, students, and other members of the public with phone numbers, websites web sites, addresses of law enforcement agencies, and other appropriate governmental organizations to provide more detail concerning sex offender/sexual predator identification.

Schools utilize the Raptor Volunteer/Visitor Management System to provide information to the Sexual Offender database to alert school and District administration if an offender or predator match is found on school grounds. All visitors, volunteers, and contractors are required to sign in upon arrival to campus through the Raptor Volunteer/Visitor Management System.

#### Public Posting of Sex Offender/Sexual Predator Information

A. Students, parents, and staff have the availability vailabily to view sexual predator information that is provided through the FDLE Sexual Offenders and Predators Search website and to sign up to receive the Sheriff's office Offender Watch which automatically provides updates on offender's movements and status. An information poster placed in the public area of the school will alert all members of the community that the sheriff and/or chief of police has provided to the school, posters or other information concerning sex offenders, as required by law. The poster will direct members of the public to the updated binder system of offenders, which is maintained in the public area of the school office.

B. School(s) will not display the actual posters of sex offenders/sexual predators in any area of the school.

C.

#### **Public Meetings**

School(s) will assist law enforcement jurisdictions with public meetings with regard to community notification by providing space for the meetings when such facilities are requested of the principal. The content and general conduct of the meeting is the responsibility of the local law enforcement jurisdiction.

# **Direct Public Notification by Schools**

- A. It is the legislated responsibility of the sheriff or chief of police to make direct community notification, with regard to sex offenders and/or sexual predators. In an effort to be consistent with the statute, neither the District office nor the schools will engage in direct public notification.
- B. Schools will continue to use newsletters and other informational sources to alert parents and students with regard to issues of student safety.

Technical Change 1/17/08

Legal <u>F.S. 119.011</u>

F.S. 775.21 F.S. 775.25 F.S. 943.0435 F.S. 1012.22

Last Modified by Cynthia Rayen on January 9, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title TRANSPORTATION

Code \*po8600 10/31/23 MM

Status

Adopted May 1, 2002

#### 8600 - TRANSPORTATION

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

- 1. Provisions for reciprocal agreements with contiguous school districts for school bus and other Board-approved vehicle transportation services, inspections, and screening requirements shall be in accordance with Florida statute.
- 2. School buses shall be purchased, housed, and maintained by the District for the transportation of resident students between their home areas and the schools of the District to which they are assigned.
- 3. Students living more than two (2) miles from their home school will be eligible for District-provided bus transportation. Students who attend school out of their home school zone will not be eligible for District-provided transportation. Students shall board the bus at the nearest designated stop and will not enter or leave the bus at any other designated stop. In the event of an emergency, the principal may approve an exemption to the student's designated bus stop on a temporary basis.
- 4. Students living within two (2) miles of school may be provided District bus transportation under the following conditions:
  - A. Permanently disabled students, whose Individual Education Plan requires special transportation.
  - B. Temporarily disabled students upon request and verification of disability and length of time of disability.
  - C. Students whose walking routes to school meet the State criteria for hazardous walking conditions. iF.S. 1006.23 requires the Board and other governmental entities work cooperatively to identify conditions that are hazardous along student walking routes to school and requires such condition shall be inspected by a representative of the School District and a representative of the State or local governmental entity that has jurisdiction over the perceived hazardous location. If it is determined that the condition meets the criteria established in State law for hazardous walking conditions, the Board shall provide transportation to students who would be subjected to such conditions. State law further requires State or local governmental entities having jurisdiction to correct such hazardous conditions within a reasonable period of time. The Board and Superintendent shall follow State law with respect to correcting hazardous walking conditions.
    - D. Students residing within two (2) miles of an established bus stop of the school they are currently attending may be provided bus transportation upon payment of a fee established by the Board. This transportation will only be provided if seats are available on existing buses serving the school and the student gets to an established bus stop.
- F.S. 1006.23 requires the Board and other governmental entities work cooperatively to identify conditions that are hazardous along student walking routes to school and requires such condition shall be inspected by a representative of the School District and a representative of the State or local governmental entity that has jurisdiction over the perceived hazardous location. If it is determined that the condition meets the criteria established in State law for hazardous walking conditions, the Board shall provide transportation to students who would be subjected to such conditions. State law further requires
   State or local governmental entities having jurisdiction to correct such hazardous conditions within a reasonable period of time. The Board and Superintendent shall follow State law with respect to correcting hazardous walking conditions.

- 5. Students eligible for transportation who are beyond the accessibility of school bus transportation shall be provided isolated transportation by payment to the parent/legal guardian of an amount established by the Board. Payment of the amount established will be based upon the date of the application or the date the service began whichever occurred first during the current attendance reporting period.
- 6. Parents Parent/legal guardians of students who become or are determined to be non-eligible for school bus transportation shall be notified in writing. The student will be allowed to ride the bus for a minimum of three (3) additional school days depending on the circumstances of the non-eligibility. Length of time allowed to continue riding the bus will be at the discretion of the Director of Transportation. If the student was riding the school bus illegally, removal from the bus may be immediate.
- 6. Bus routes shall be established so that one authorized bus stop is available within 1.5 miles walking distance of the home of every resident student entitled to transportation services. The Board shall approve the bus routes annually. The Superintendent is authorized to make any necessary changes in the approved route.
- 7. The Board authorizes the installation and use of video recording devices in the school buses to assist the drivers in providing for the safety and well-being of the students while on a bus.

#### I Duties and Responsibilities of the Director of Transportation

- A. Counsel with school bus operators regarding safety and efficiency of service to schools and to make recommendations to them for improvement in service.
- B. Recommend to the Superintendent the initial or continued employment of bus operators, and other transportation personnel.
- C. Instruct school bus operators in procedures to be followed in conducting school bus emergency evacuation drills and confer with each Principal regarding scheduling, conducting, and documenting school bus evacuation drills. These procedures shall include a requirement that all operators of school buses transporting students, teachers, or chaperones on field and activity trips instruct all passengers in the locations and proper use of school bus emergency exits prior to each such trip.
- D. Counsel with bus operators regarding operator responsibility and authority, as well as job performance.

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

### II Duties and Responsibilities of the Principal

- A. Assume responsibility under the direction of the Superintendent for all student disciplinary cases that arise in connection with transportation in accordance with Florida statutes, Florida State Board Rule, and the Student Code of Conduct.
- B. Instruct students as a part of their safety program on the rules pertaining to student transportation, walking to and from school, bicycle, and other vehicle operations.
- C. Develop at the school a parking policy for the safety of students, visitors, and staff while operating or parking personal vehicles on campus.
- D. Conduct, at a minimum, during the first six (6) weeks of each semester, school bus evacuation drills, and maintain documentation for these drills.
- E. Develop a plan for the supervision of transported students who arrive early or remain late.
- F. Designate places for students to get on and off school buses at the school site and supervise the loading/unloading zone.
- G. Provide instruction for all transported students in safe practices on and off the bus during the first six (6) weeks of the first semester of the school year.
- H. Request authority in writing for transportation of students on field trips and activity trips, or other special trips, and to plan such trips in accordance with policies approved by the Board.

#### III Duties and Responsibilities of the Bus Operator

- A. Pass all required physical examinations and meet such requirements as may be prescribed by State law, State Board rules, or Board policy.
- B. Be clean and neat in appearance and refrain from wearing shoes not securely held on the foot.
- C. Refrain from use of tobacco while operating the bus, as well as the use of profane language in the presence of the students. Operators shall not use or be under the influence of alcohol, illicit drugs, or any substance that may impair the operator's alertness or performance while on duty. Operators shall not carry firearms while on school board property.

- D. Prescribe, in cooperation with the principal, the seating arrangements of students.
- E. Report needed changes in school bus transportation to the Director of Transportation including bus loads, bus deficiencies, road hazards, routes, and schedules.
- F. Study and observe all laws, rules of the State Board, and policies of the Board relating to transportation.
- G. Attend and participate in conferences and training classes for school bus operators and be prepared at any time to pass successfully a reasonable examination concerning traffic laws, State, and local transportation rules, and driving skills.
- H. Require that transported students observe all rules prescribed by law, State Board rule, and the policies of the Board.
- I. Maintain order and discipline, under the direction of the principal, on the part of every passenger.
- J. Permit students to leave the bus only at their assigned stop, except upon written authorization of the principal.
- K. Observe all procedures incorporated in the Florida Department of Education Basic School Bus Operator's Curriculum.
- L. Instruct transported students in safe riding practices.
- M. Require all passengers to remain seated and to keep aisles and exits clear.
- N. Participate in emergency evacuation drills at least once each school semester under the principal's direction.
- O. Use the bus, if it is publicly owned, only to transport students to and from school, except upon specific direction of the Superintendent or the Principal upon written authorization by the Superintendent.
- P. Prepare immediately after every accident involving the bus or a school bus passenger an accident report to be filed with the Director of Transportation.
- Q. Ascertain and ensure that all persons are off the bus before filling the fuel tank.
- R. Drive always at a safe speed and never more than the legally posted speed limit in business or residential districts, or fifty-five (55) miles per hour outside business or residential districts.
- S. Cooperate with duly authorized school officials, mechanics, and other personnel in the mechanical maintenance and repair of the bus, and in overcoming hazards that threaten the safety or efficiency of service.
- T. Inspect the bus daily prior to the beginning of the first daily trip, prior to the beginning of the first trip each morning and the first trip each afternoon, and report any defect affecting safety or economy of operation immediately to authorized service personnel. The inspection shall include all items identified in the procedures related to the mandatory daily inspection in the Basic School Bus Operator Curriculum.
- U. Always keep the bus clean and neat and do not affix any stickers or other unauthorized items to the interior or exterior of buses.
- V. Prepare reports, keep all records required, and otherwise assist school officials in mapping bus routes, planning schedules and in obtaining information for a continuous study of all phases of transportation service.
- W. Always wear a seat belt when the bus is in operation.
- X. Use roof-mounted white flashing strobe lights, if the bus is so equipped, whenever headlights are required to be used due to reduced visibility conditions pursuant to F.S. 316.217(1)(b), except that insufficient light due only to the time of day or night shall not require use of the strobe light.
- Y. Report the following immediately to the Director of Transportation, Principal, or other designated officials:
  - 1. misconduct on the part of any student while on the bus or under the operator's immediate supervision;
  - 2. complaints requiring attention of school authorities;
  - any hazards arising that would offer either an actual or a potential threat to the safety of students in the operator's care;
  - 4. causes for failure to maintain school bus time schedule; and
  - 5. overloaded conditions on the bus that exceed the rated capacity of the bus.
- Z. Perform a complete interior inspection of each bus after each run and trip to ensure no students are left on board.
- AA. Maintain as far as practicable by patient and considerate treatment of parents Parent/legal guardian's a feeling of security in the safety of students transported.
  - IV The Superintendent shall require that bus operators, and attendants if used, are iperelyakpp://www.nee.ipe

- A. The operator or attendant of a bus transporting students shall remain with the bus so that students aboard will be always under supervision, except to call for assistance in case of an emergency or accident involving the students or bus.
- B. In cases where a student with physical disabilities is unable to leave the area of a student stop without assistance, the school bus operator shall not assume responsibility for such assistance except in an emergency that threatens the safety of such student or students.
- C. The operator and attendant (if used) shall be provided certified cardiopulmonary resuscitation (CPR) and first aid training related to and along with other required pre-service training prior to transporting students, and shall receive CPR and first aid refresher in-service training at least biennially; however, the operator and attendant (if used) shall not give medicine and shall limit his/her their assistance to that which may normally be expected of a reasonable, prudent person or as specified in the student's Individual Educational Plan or Individualized Seizure Action Plan.
- D. School bus operators and attendants (if used) shall receive information regarding each affected student's Individualized Seizure Action Plan and appropriate training regarding how to provide recommended care if the student shows symptoms of the epilepsy or seizure disorder, in accordance with F.S. 1006.062. The student's parent/legal guardian and emergency contact information will also be provided to bus operators and attendants.

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

# V Duties and Responsibilities of Parent/Legal Guardian

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

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

Revised 8/14/07 Revised 7/08 Revised 4/27/10 Revised 7/22/14 Revised 7/27/23

#### V 2. School Bus Infraction Detection Systems

- 1. 82221. Consistent with F.S. 316.173 and based solely on the need to increase public safety, the Board operates a school bus infraction detection system on [ ] select [X ] all school buses in the District for the purpose of enforcing F.S. 316.172(1)(a) and (b).
- 2. 2322. [X ] A school bus equipped with a school bus infraction system must meet the following specifications as set forth in F.A.C. 6A-3.003:
  - A. the system shall be comprised of two (2) or more cameras affixed to a school bus that meets all of the following requirements:
    - 1. Is synchronized to automatically record video or one or more sequenced photographs of a vehicle failing to stop for a school bus in violation of F.S. 316.172;
    - 2. Is capable of capturing images of:
      - a. The left and right side of the school bus documenting a vehicle illegally passing the stopped school bus from either direction beginning when the vehicle is no less than two-hundred (200) feet from the school bus; and,
      - b. The license plate on the rear of the vehicle.
    - 3. Is capable of capturing a record of the following:
      - a. The date, time and GPS location of the violation;

- b. The status of the school bus' eight-way student warning light system at the time of the violation; and,
- c. The date stamp documenting the latest system self-test conducted on the School Bus Infraction Detection System.
- B. The school bus infraction detection systems must perform a self-test no less than once every thirty (30) days and be tested by a licensed technician at least once a year.
- C. Images and data recorded by the system will not identify or depict any student unless the student is the operator of a vehicle failing to stop for a school bus in violation of F.S. 316.172.
- 3. 24239. No individual is permitted to receive a commission from any revenue collected from violations detected through the use of the District's system. In the event the District contracts with a vendor or manufacturer to install a school bus infraction detection system on any school bus or operate and maintain the system, such vendor or manufacturer is not permitted to receive a fee or renumeration based upon the number of violations detected through the use of a school bus infraction detection system.
- 4. 252410. The Board shall enter into an interlocal agreement with one or more law enforcement agencies authorized to enforce violations of F.S. 316.172(1)(a) and (b) within the District which jointly establishes the responsibilities of enforcement and the reimbursement of costs associated with school bus infraction detection systems consistent with F.S. 316.173.
- 5. 262511. All school bus infraction detection systems shall meet specifications established by the State Board of Education and will be tested at regular intervals according to specifications prescribed by State Board rule.
- 27. VI Signage on School Buses
- 1.<del>2826.12</del> Any school bus with an operational infraction detection system will include high-visibility reflective signage on the rear of the bus. The signage must be in the form of one or more signs or stickers and must contain the following elements in substantially the following form:
  - A. the words "STOP WHEN RED LIGHTS FLASH" or "DO NOT PASS WHEN RED LIGHTS FLASH";
  - B. the words "CAMERA ENFORCED";

and,

- C. -a graphic depiction of a camera.
- 2. 29.2713. The signage must occupy at least seventy-five percent (75%) of the available space that does not contain signs or insignia that are required by other applicable law or by the State Board of Education.



or insignia that are required by other applicable law or by the State Board of Education.

30. VII Notice to the Public

1. 3128.14. The District will make a public announcement and conduct a public awareness campaign of the proposed use of school bus infraction detection systems at least 30 days before commencing enforcement under the school bus infraction detection system program and notify the public of the specific date on which the program will commence. During the thirty (30) day public awareness campaign, only a warning may be issued to the registered owner of a motor vehicle for a violation F.S. 316.172(1)(a) or (b) enforced by a school bus infraction detection system, and a civil penalty may not be imposed F.S Chapter 318.

32. VIII Violations

1. 3329.15. Within thirty (30) days after an alleged violation of F.S. 316.172(1)(a) or (b) is recorded by a school bus infraction detection system, the District or its private vendor or manufacturer must submit the following information to a law enforcement agency that has entered into an interlocal agreement with the District pursuant to this policy and has traffic infraction enforcement jurisdiction at the location where the alleged violation occurred:

A. a copy of the recorded video and images showing the motor vehicle allegedly violating F.S. 316.172(1)(a) or (b);

B. the motor vehicle's license plate number and the state of issuance of the motor vehicle's license plate;

and,

C. the date, time, and location of the alleged violation.

34.IX Videos and Images of Alleged Infractions

1. 303516. Notwithstanding any other law, equipment deployed as part of a school bus infraction detection system will not be capable of automated or user-controlled remote surveillance. Video and images recorded as part of the school bus infraction detection system may only be used to document violations of F.S. 316.172(1) (a) and (b) and may not be used for any other surveillance purposes. To the extent practicable, a school bus infraction detection system will utilize necessary technology so that personal identifying information contained in the video or still images recorded by the system which is not relevant to the alleged violation, including, but not limited to, the identity of the driver and any passenger of a motor vehicle, the interior or contents of a motor vehicle, the identity of an uninvolved person, a number identifying the address of a private residence, and the contents or interior of a private residence, is sufficiently obscured so as not to reveal such personal identifying information.



detection system will utilize necessary technology so that personal identifying information contained in the video or still images recorded by the system which is not relevant to the alleged violation, including, but not limited to, the identity of the driver and any passenger of a motor vehicle, the interior or contents of a motor vehicle, the identity of an uninvolved person, a number identifying the address of a private residence, and the contents or interior of a private residence, is sufficiently obscured so as not to reveal such personal identifying information.

2. 36.3117. Any recorded video or still image obtained through the use of a school bus infraction detection system must be destroyed within ninety (90) days after the final disposition of the recorded event. The vendor of the school bus infraction detection system must provide the District with written notice by December 31st of each year that such records have been destroyed in accordance with F.S. 316.173.

37.X Quarterly Reporting to the Florida Department of Education

1. 383218. By October 1, 2023, and quarterly thereafter, the District, in consultation with the law enforcement agencies with which it has interlocal agreements pursuant to this policy, will submit a report to the Florida Department of Education which details the results of the school bus infraction detection systems in the District in the preceding quarter. The report will contain the information required in F.S. 316.173. The District will maintain its respective data for reporting purposes for at least two (2) years after such data is reported to the Florida Department of Education.

F.S. 316.173

F.S. 316.183(3)

F.S. 316.217(1)(b)

F.S. 1006.21

F.S. 1006.22

F.S. 1006.23

F.S. 1011.68

F.S. 1012.45

F.A.C. Chapter 6A-3



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# **Legal References**

F.S. 316.173

F.S. 316.183(3)

F.S. 316.217(1)(b)

F.S. 1006.21

F.S. 1006.22

F.S. 1006.23

F.S. 1011.68

F.S. 1012.45

F.A.C. Chapter 6A-3

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F.S. 316.173

F.S. 316.183(3)

F.S. 316.217(1)(b)

F.S. 1006.21

F.S. 1006.22

F.S. 1006.23

F.S. 1011.68

F.S. 1012.45

F.A.C. Chapter 6A-3

F.A.C. 6A-3.003

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Legal F.S. 316.183(3)

F.S. 316.217(1)(b)

F.S. 1006.21

F.S. 1006.22

F.S. 1006.23

F.S. 1011.68

F.S. 1012.45

F.A.C. 6A-3

Last Modified by Marie Soetidjo on December 22, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title BUS DRIVER CERTIFICATION

Code \*po8600.04 10/31/23 MM

Status

Adopted May 1, 2002

# 1. 8600.04 - BUS DRIVER CERTIFICATION BUS OPERATOR QUALIFICATIONS, CERTIFICATION, DISCIPLINE, AND TERMINATION

It is the policy of the Board that all bus drivers obtain and hold proper certification under standards for school bus drivers established within Florida laws and the District's safe driver plan. It is also the purpose of this Board to protect its students from drivers whose certification is invalidated by Florida law or the District's safe driver plan. Any employee who knowingly operates a school bus with a suspended or revoked license shall be subject to dismissal.

A driver involved in a preventable school bus accident, or who is issued a citation for a traffic violation, shall be subject to the disciplinary action established in the District's safe driver plan.

A driver must conform to the provisions of 49 C.F.R., Part 40 and Part 382, relating to controlled substance and alcohol use and testing. A driver testing positive for a controlled substance under the provisions noted above shall be terminated from school bus driving duties.

#### 2I. - Purpose

31. The safety and welfare of District students is of paramount importance to the School Board and transportation personnel of the District are charged with the responsibility of student transportation safety. Thus, it is essential that school buses be operated by properly qualified and licensed drivers who meet all other requirements of State and Federal laws, State Board rules, and Board policies for the transport of students.

# 4. II. Applicants

- 52.-1. The Board requires that each applicant for a bus operator's position possess a valid Florida Commercial Driver License Class B with Passenger and S Endorsements, together with an acceptable driving record, a current valid medical examiner's certificate, and such other licenses and endorsements as may be required by applicable law and regulation, and meet all other minimum qualifications as may be required by Federal law, State law, State Board Rule, Board policy, and the District's safe driver plan. The driving record of all applicants shall be obtained from the Florida Department of Highway Safety and Motor Vehicles (DHSMV) and reviewed by the District as and when required by law to verify an acceptable driving history and compliance with the standards of this policy and applicable law and regulation.
- 63.—2. At the time of initial employment, the Board shall require that the operator of a school bus meet the following requirements:
  - A. has five (5) years of licensed driving experience;
  - B. has submitted to the Superintendent a written application for employment in a form prescribed by the Board; and
  - C. has filed a set of fingerprints for the purpose of the required background check for determining criminal record-
- 3. An applicant who is determined by the criminal background check required of all applicants to have been convicted of a crime of moral turpitude shall not be employed as a school bus operator.
- 7 4. Any of the following infractions or offenses within the last five (5) years will render a candidate unqualified and, therefore, ineligible for employment:

- A. [X] driving under the influence
- B. [X] falsifying an accident report
- C. [X] at-fault accident resulting in a fatality
- D. [X] more than twenty (20) points on license
- E. [X] passing a stopped school bus
- F. [X] reckless driving
- G. X ] more than two (2) careless driving infractions within any one (1) year period
- H. [X] failing to give notice of a crash to a local police department or county sheriff when such crash results in injury to or death of any persons or damage to any vehicle or other property in an apparent amount of at least \$500
- I. [X] fleeing or attempting to elude a police officer
- J. [X] speeding in a school zone
- K. [X] railroad crossing offenses
- L. [X] leaving the scene of an accident involving injuries or property damage
- M. [X ] more than \_THREE\_\_\_\_\_(3\_\_\_\_) moving violations including adjudication withheld
- N. [X] speeding in excess of twenty-one (21) miles per hour over posted speed limit
- O. [X ] loss of or suspension of driver's license for traffic related offenses/violations of F.S. Chapter 316, or multiple non-traffic related offenses
- P. [X ] more than \_TWENTY\_\_\_\_\_ (20\_\_\_\_\_) points on license
- Q. [X] use of a wireless communication device while operating a motor vehicle for non-voice interpersonal communication, including, but not limited to, texting, e-mailing, instant messaging, and snap chatting which is violation of F.S. 316.305
- R. [X ] use of a wireless communication in a handheld manner while operating a motor vehicle in a designated school crossing, school zone, or work zone area as defined in F.S. 316.003, which is a violation of F.S. 316.306

#### 8. III. Employees

- 95.-1. Prior to transporting students on a school bus each operator shall meet the following requirements:
  - A. hold a valid commercial driver license with a passenger endorsement and a school bus endorsement;
  - B. successfully complete forty (40) hours of preservice training-consisting of, which must include certified cardiopulmonary resuscitation (CPR) and first aid training, and must consist of at least twenty (20) hours of classroom instruction and eight (8) hours of behind-the-wheel training based upon the Department's Basic School Bus Operator Curriculum, Revised 2006;
  - C. demonstrate the ability to prepare required written reports;
  - D. be physically capable of operating the vehicle as determined by physical examination, given by a physician designated by the Board, and as determined by a dexterity test administered by the District;
  - E. demonstrate physical and mental capabilities required to carry out all assigned responsibilities as a school bus operator; and
  - F. meets the qualifications described in 49 C.F.R. Part 391, relating to physical qualifications and examination, which includes the physical standards established by the Federal Motor Carrier Safety Administration pursuant to 49 C.F.R. Sections 391.41 and 391.43
- 106.—2. The District shall issue a certificate of training to each operator who successfully completes the forty (40) hours of preservice training provided by the Commissioner.
- 117.3. In addition to the requirements set forth above, a bus operator employed by the Board shall at all times during the term of their employment maintain an acceptable driving record, possess a current valid medical examiner's certificate, hold such other licenses and endorsements as may be required by applicable law and regulation, and meet all other minimum qualifications as may be required by Federal law, State law, State Board rule, Board policy, and the District's safe driver plan.

[   subject to termination:	District's safe driver plan. Any employee who operates a school bus with a license s/he knows, or should have known, is suspended or revoked shall be subject to discipline, up to and including termination.
139-5. The driving record of all school bus operators shall be obtained and reviewed prior to each fall semester, and shall be subject to continuous screening by using the Automated School Bus Driver's License Record Check System (MOTRS). The object to continuous screening by using the Automated School Bus Driver's License Record Check System (MOTRS). The object to disciplinary action of Motor Vehicles and Highway Safety datasots.  1440-6. Any bus operator whose driving record is found to include a plea of guilty, nole contendere, or adjudication withheld of guilt for any of the following infractions shall be subject to disciplinary action up to and including termination in accordance with the District's safe driver plans.  A. [X] driving under the influence  B. [X] falsifying an accident report  C. [X] at fault accident resulting in a fatality  D. [X] more than twenty (20) points on license  E. [X] passing a stopped school bus  F. [X] reckless driving  G. [X] more than two (2) careless driving infractions within any one (1) year period  H. [X] falling to give notice of a crash to a local police department or county sheriff when such crash results in injury to or death of any persons or damage to any vehicle or other property in an apparent amount of at least \$500  I. [X] fleeing or attempting to eliude a police officer  J. [X] speeding in a school zone  K. [X] railroad crossing offenses  L. [X] leaving the scene of an accident involving injuries or property damage  M. [X] more than THREE (3) moving violations including adjudication withheld  N. [X] speeding in excess of twenty-one (21) miles per hour over posted speed limit  O. [X] loss of or suspension of driver's license for traffic related offenses/violations of F.S. Chapter 316, or multiple non-traffic related offenses  P. [X] more than TWENTY (20) points on license  Q. [X] use of a wireless communication device in while operating a motor vehicle for non-voice interpersonal communication including, but not limited to, texting, e-mailing, instant messaging	[ X subject to discipline, up to and including termination.
139-5. The driving record of all school bus operators shall be obtained and reviewed prior to each fall semester, and shall be subject to continuous screening by using the Automated-School Bus Driver's License-Record Check SystemMotor Vehicle Operator ITracking and Reporting System (MOTRS), though the Florida Department of Motor Vehicles and Highway Safety database.  1410-6. Any bus operator whose driving record is found to include a plea of guilty, nolo contendere, or adjudication withhold of guilt for any of the following infractions shall be subject to disciplinary action up to and including termination in accordance with the District's safe driver plani  A. [X] driving under the influence  B. [X] falsifying an accident report  C. [X] at fault accident resulting in a fatality  D. [X] more than twenty (20) points on license  E. [X] passing a stopped school bus  E. [X] reckless driving  G. [X] more than two (2) careless driving infractions within any one (1) year period  H. [X] failing to give notice of a crash to a local police department or county sheriff when such crash results in injury to or death of any persons or damage to any vehicle or other property in an apparent amount of at least \$500  I. [X] speeding in a school zone  K.[X] railroad crossing offenses  L[X] leaving the scene of an accident involving injuries or property damage  M. [X] more than _THREE(3) moving violations including adjudication withheld  N. [X] speeding in excess of twenty-one (21) miles per hour over posted speed limit  O. [X] loss of or suspension of driver's license for traffic related offenses/violations of E.S. Chapter 316, or multiple non-traffic related offenses  P. [X] more than _TWENTY (20) points on license  Q. [X] use of a wireless communication device in while operating a motor vehicle for non-voice interpersonal communication including, but not limited to, texting, e-mailing, instant messaging, and snap chatting which is a violation of F.S. 316.305  R. [X] use of a wireless communication in a handheld manner whi	[ ] subject to termination.
subject to continuous screening by using the Automated-School Bus Driver's-License-Record-Check-SystemMotor Vehicle Derartor Tiracking and Reporting System (MOTRS), though the Florida Department of Motor Vehicles and Highway Safety database:  4440-6. Any bus operator whose driving record is found to include a plea of guilty, nolo contendere, or adjudication withheld of guilt for any of the following infractions shall be subject to disciplinary action up to and including termination in accordance with the District's safe driver plant:  A. [X] driving under the influence  B. [X] falsifying an accident report  C. [X] at fault accident resulting in a fatality  D. [X] more than twenty (20) points on license  E. [X] passing a stopped school bus  F. [X] reckless driving  G. [X] more than two (2) careless driving infractions within any one (1) year period  H. [X] falling to give notice of a crash to a local police department or county sheriff when such crash results in injury to or death of any persons or damage to any vehicle or other property in an apparent amount of at least \$500  I. [X] speeding in a school zone  K.[X] railroad crossing offenses  L.[X] leaving the scene of an accident involving injuries or property damage  M. [X] more than "THREE [ (3 ) moving violations including adjudication withheld  N. [X] speeding in excess of twenty-one (21) miles per hour over posted speed limit  O. [X] loss of or suspension of driver's license for traffic related offenses/violations of F.S. Chapter 316, or multiple non-traffic related offenses  P. [X] more than "TWENTY" (20 ) points on license  Q. [X] use of a wireless communication device in while operating a motor vehicle for non-voice interpersonal communication including, but not limited to, texting, e-mailing, instant messaging, and snap chatting which is a violation of F.S. 316.305  R. [X] use of a wireless communication in a handheld manner while operating a motor vehicle in a designated school crossing, school zone, or work zone area as defined in F.S. 316.003, whic	[ ] terminated.
A. [X ] driving under the influence  B. [X] falsifying an accident report  C. [X ] at fault accident resulting in a fatality  D. [X ] more than twenty (20) points on license  E. [X] passing a stopped school bus  F. [X] reckless driving  G. [X ] more than two (2) careless driving infractions within any one (1) year period  H. [X] failing to give notice of a crash to a local police department or county sheriff when such crash results in injury to or death of any persons or damage to any vehicle or other property in an apparent amount of at least \$500  I. [X ] fleeing or attempting to elude a police officer  J. [X ] speeding in a school zone  K. [X ] railroad crossing offenses  L. [X] leaving the scene of an accident involving injuries or property damage  M. [X ] more than _THREE (_ 3) moving violations including adjudication withheld  N. [X] speeding in excess of twenty-one (21) miles per hour over posted speed limit  O. [X ] loss of or suspension of driver's license for traffic related offenses/violations of F.S. Chapter 316, or multiple non-traffic related offenses  P. [X ] more than _TWENTY (_ 20) points on license  Q. [X ] use of a wireless communication device in while operating a motor vehicle for non-voice interpersonal communication including, but not limited to, texting, e-mailing, instant messaging, and snap chatting which is a violation of F.S. 316.305  R. [X ] use of a wireless communication in a handheld manner while operating a motor vehicle in a designated school crossing, school zone, or work zone area as defined in F.S. 316.030, which is a violation of F.S. 316.305	subject to continuous screening by using the Automated School Bus Driver's License Record Check System Motor Vehicle Operator Tracking and Reporting System (MOTRS) though the Florida Department of Motor Vehicles and Highway Safety database.  1410. 6. Any bus operator whose driving record is found to include a plea of guilty, nolo contendere, or adjudication withheld of
B. [X] falsifying an accident report  C. [X] at fault accident resulting in a fatality.  D. [X] more than twenty (20) points on license  E. [X] passing a stopped school bus  F. [X] reckless driving  G. [X] more than two (2) careless driving infractions within any one (1) year period  H. [X] failing to give notice of a crash to a local police department or county sheriff when such crash results in injury to or death of any persons or damage to any vehicle or other property in an apparent amount of at least \$500  I. [X] fleeing or attempting to elude a police officer  J. [X] speeding in a school zone  K. [X] railroad crossing offenses  L. [X] leaving the scene of an accident involving injuries or property damage  M. [X] more than THREE (3) moving violations including adjudication withheld  N. [X] speeding in excess of twenty-one (21) miles per hour over posted speed limit  O. [X] loss of or suspension of driver's license for traffic related offenses/violations of F.S. Chapter 316, or multiple non-traffic related offenses  P. [X] more than TWENTY (20) points on license  Q. [X] use of a wireless communication device in while operating a motor vehicle for non-voice interpersonal communication including, but not limited to, texting, e-mailing, instant messaging, and snap chatting which is a violation of F.S. 316.305  R. [X] use of a wireless communication in a handheld manner while operating a motor vehicle in a designated school crossing, school zone, or work zone area as defined in F.S. 316.003, which is a violation of F.S. 316.305  1511-7. In addition, a bus operator who violates Board policies regarding the unnecessary idling of school buses or using a wireless communication device while operating a school bus shall be subject to disciplinary action in accordance with the District's	District's safe driver plan:
C. [X ] at fault accident resulting in a fatality D. [X ] more than twenty (20) points on license E. [X] passing a stopped school bus F. [X] reckless driving G. [X ] more than two (2) careless driving infractions within any one (1) year period H. [X] failing to give notice of a crash to a local police department or county sheriff when such crash results in injury to or death of any persons or damage to any vehicle or other property in an apparent amount of at least \$500 I. [X ] fleeing or attempting to elude a police officer J. [X ] speeding in a school zone K. [X ] railroad crossing offenses L. [X] leaving the scene of an accident involving injuries or property damage M. [X ] more than _THREE ( 3 _) moving violations including adjudication withheld N. [X] speeding in excess of twenty-one (21) miles per hour over posted speed limit O. [X ] loss of or suspension of driver's license for traffic related offenses/violations of F.S. Chapter 316, or multiple non-traffic related offenses P. [X ] more than _TWENTY	A. [X ] driving under the influence
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E. [ X ] passing a stopped school bus  E. [ X ] reckless driving  G. [ X ] more than two (2) careless driving infractions within any one (1) year period  H. [ X] failing to give notice of a crash to a local police department or county sheriff when such crash results in injury to or death of any persons or damage to any vehicle or other property in an apparent amount of at least \$500  I. [ X ] fleeing or attempting to elude a police officer  J. [ X ] speeding in a school zone  K. [ X ] railroad crossing offenses  L. [ X ] leaving the scene of an accident involving injuries or property damage  M. [ X ] more than _THREE ( _3 _) moving violations including adjudication withheld  N. [ X ] speeding in excess of twenty-one (21) miles per hour over posted speed limit  O. [ X ] loss of or suspension of driver's license for traffic related offenses/violations of F.S. Chapter 316, or multiple nontraffic related offenses  P. [ X ] more than _TWENTY ( _20 ) points on license  Q. [ X ] use of a wireless communication device in while operating a motor vehicle for non-voice interpersonal communication including, but not limited to, texting, e-mailing, instant messaging, and snap chatting which is a violation of F.S. 316.305  R. [ X ] use of a wireless communication in a handheld manner while operating a motor vehicle in a designated school crossing, school zone, or work zone area as defined in F.S. 316.003, which is a violation of F.S. 316.306	C. [X ] at fault accident resulting in a fatality
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H. [X] failing to give notice of a crash to a local police department or county sheriff when such crash results in injury to or death of any persons or damage to any vehicle or other property in an apparent amount of at least \$500  I. [X] fleeing or attempting to elude a police officer  J. [X] speeding in a school zone  K. [X] railroad crossing offenses  L. [X] leaving the scene of an accident involving injuries or property damage  M. [X] more than _THREE (_3) moving violations including adjudication withheld  N. [X] speeding in excess of twenty-one (21) miles per hour over posted speed limit  O. [X] loss of or suspension of driver's license for traffic related offenses/violations of F.S. Chapter 316, or multiple non-traffic related offenses  P. [X] more than _TWENTY (_20) points on license  Q. [X] use of a wireless communication device in while operating a motor vehicle for non-voice interpersonal communication including, but not limited to, texting, e-mailing, instant messaging, and snap chatting which is a violation of F.S. 316.305  R. [X] use of a wireless communication in a handheld manner while operating a motor vehicle in a designated school crossing, school zone, or work zone area as defined in F.S. 316.003, which is a violation of F.S. 316.306	F. [X ] reckless driving
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wireless communication device while operating a school bus shall be subject to disciplinary action in accordance with the District's	
	wireless communication device while operating a school bus shall be subject to disciplinary action in accordance with the District's
1612.8. All bus operators must conform to the provisions of 49 C.F.R., Part 40 and Part 382, relating to the substance abuse testing and alcohol detection program. A driver testing positive for a controlled substance under the provisions noted above shall be terminated from school bus driving duties.  AMERICAN	testing and alcohol detection program. A driver testing positive for a controlled substance under the provisions noted above shall be

128. 4. It is the intent of this Board to protect its students from drivers whose certification is invalidated under Florida law or the

- A. successfully complete the requirements prescribed by this policy;
- B. successfully complete a minimum of eight (8) hours of inservice training related to the operator's responsibilities for transporting students; which may include training hours from the required certified CPR and first aid training, pursuant to F.A.C. Rule 6A-3.0121;
- C. successfully pass a dexterity test administered by the District and maintain a valid Medical Examiners Certificate verifying that the operator meets the requirements of 49 C.F.R. Part 391.

1915.-11. At the time of reemployment, the Board shall assure that each school bus operator meets all of the requirements contained herein. If not more than a twelve (12) continuous calendar month break in service has occurred, an operator shall be required to complete eight (8) hours of inservice training related to their responsibilities for transporting students prior to driving a school bus with students. If a period exceeding twelve (12) calendar months has occurred, the operator shall be required to successfully complete all of the requirements of this policy.

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F.S. 316.305

F.S. 316.306

F.S. 1012.45

F.S. 1012.465

F.S. Chapter 316

F.S. Chapter 1006

F.A.C. 6A-3.0121

F.A.C. 6A-3.0141

F.A.C. 6A 3.0151

F.A.C. 6A-3.0171

49 C.F.R. Part 40

49 C.F.R. Part 382

49 C.F.R. Part 391

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Legal <u>F.S. 1012.45</u>

F.S. 6A-3.0141

F.A.C. 6A-3.0151

49 C.F.R. Part 40

49 C.F.R. Part 382

Last Modified by Marie Soetidjo on December 22, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title SCHOOL BUS SAFETY PROCEDURES

Code \*\*po8605 10/31/23 MM; PG 12-20-23

Status

Adopted May 1, 2002

#### 8605 - SCHOOL BUS SAFETY PROCEDURES

Proper transportation of students is a matter of continuing concern and it is imperative that all staff members associated with student transportation adhere to the following procedures which have been designed to maximize the safety of students.

- A. Each bus driver shall adhere to the responsibilities as stated in F.S. 1006.10 and 1012.45, and State Board of Education Rule F.A.C. 6A-3.0171. All of the following duties pertain to bus drivers:
  - 1. maintain all records and reports required;
  - 2. maintain the equipment in the best possible running condition and to report daily any needed repairs to the bus;
  - 3. attend and participate in relevant in-service training programs required by the Board;
  - 4. shall observe the assigned route closely and make any suggestions which would improve the efficient operation or the safety of the route;
  - 5. shall do a walk-through of the bus after each run to ensure that no student has remained;
  - 6. shall assist principals in conducting proper procedures for school bus evacuation drills;
  - shall ensure that students board and unload only at their assigned bus stop unless a change is approved by a principal or designated representative;
  - 8. shall discharge an unruly student from the school bus only at his/her regular bus stop, to a law enforcement office if directed, or to a District school only if a District official at that school takes custody of the student;

Parent(s)/Guardian(s) may take custody of an unruly student(s) from the school bus.

- shall report acts of student misconduct to the principal; however, should an emergency develop, because of the conduct of the student(s) on the bus, the driver may take such steps as are reasonable/necessary to protect the students;
- 10. shall advise students on a recurring basis of the requirement to use the appropriate occupant safety equipment (lap belt) on school buses containing this equipment;

It is not the responsibility of the school bus driver to ensure all students are using the additional occupant safety equipment before proceeding.

11. shall not idle the bus engine unnecessarily and shall shut off the engine during all school loading and unloading operations (exception: wheel-chair lift operations).

B. Each student shall adhere to the school bus transportation rules and policies of the School District to include:

- 1. shall not carry any item onto the school bus that can not be held in the lap or stored under the bus seat; items specifically excluded from regular school bus routes include but are not limited to large band instruments, bats, lacrosse sticks, tennis rackets, oversized back packs, and foldable scooters;
- 2. shall ride only the assigned school bus and shall be at the assigned bus stop a minimum of five (5) minutes before the scheduled arrival of the bus;
- 3. shall not carry onto the school bus any item prohibited from being in the student's possession while attending school;
- 4. shall be aware that the same student rules to be adhered to while at school shall pertain to riding on the school bus;
- 5. shall be aware that riding a school bus is a privilege and repeated or serious misconduct by a student while riding a school bus may incur loss of the bus riding privilege;
- 6. shall use appropriate occupant safety equipment (lap belt) on school buses so equipped.

Students refusing to use the occupant safety equipment (lap belt) will be referred to the principal for action.

Revised 4/10/07 Revised 7/22/14

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Last Modified by Paul Gibbs on December 20, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title SCHOOL BUS DRIVER CELLULAR PHONE USE

\*po8606 10/31/23 MM

Status

Adopted April 10, 2007

# 1.8606 SCHOOL BUS DRIVER CELLULAR PHONE USEUSE OF WIRELESS COMMUNICATION DEVICES BY DISTRICT SCHOOL BUS OPERATORS

Cellular phone use while driving has been found to contribute to school bus crashes. According to the National Safety Council and the National Transportation Safety Board, the risk of collision is considerably greater when using a cellular phone while driving. The use of a cellular phone while driving is a distraction from the driving environment.

Cellular phones, including cellular phones equipped with ear pieces, ear buds, headsets, and/or Bluetooth shall not be used while operating a Brevard District school bus. School bus drivers shall not text message or use any wireless communications device while operating a District school bus.

The mobile radio installed on all County school buses will be the primary communication system for Brevard District school bus drivers. If the mobile bus radio fails, and the bus driver has a critical reason for using a cellular phone while performing busoperating duties, the driver will depart the roadway, stop the bus in a safe area, and then use the cellular phone. Drivers shall not use any wireless communication device anytime the school bus is moving, or with engine running, with or without students on board.

School bus drivers shall adhere to all District policies pertaining to staff use of cellular telephones, pages, and two way radios.

Safety will always be the priority while driving a school bus. Any deviation to the above policy will result in disciplinary action.

# Revised 12/8/09

[NOTE: This policy is required by F.A.C. 6A 3.0171(2)(e)]

- 21. For purposes of this policy, wireless communication devices (WCDs) means any handheld device used or capable of being used in a handheld manner, that is designed or intended to receive or transmit text or character-based messages, access or store data, or connected to the Internet or any communications service as defined in F.S. 812.15 and that allows text communications. WCDs include, but are not limited to, cellular and wireless telephones, pagers/beepers, personal digital assistants (PDAs), Blackberries/Smartphones, and other Wi-Fi-enabled or broadband access devices.
- 32. [X ] Cellular phone use for voice communication and texting while driving has been found to contribute to school bus crashes. According to the National Safety Council and the National Transportation Safety Board, the risk of collision is considerably greater when using a cellular phone while driving. The use of a cellular phone while driving is a distraction from the driving environment.
- 43. It is the policy of the School-Board that WCDs, including WCDs equipped with ear pieces, ear buds, headsets, and/or Bluetooth, shall not be used for any purpose, including, but not limited to, placing or receiving phone calls, sending or receiving text messages, or sending or receiving e-mails, anytime the operator is actively driving a District school bus, with or without students on board except for reasons as defined in Board Policy 8625.
- 54. The mobile radio installed on all District school buses will be the primary communication system for District school bus operators. If the mobile bus radio fails, and the school bus operator's responsibility for the safety and health of the students being transported makes it necessary for the school bus driver to use a WCD while performing bus-operating duties, the school bus operator will depart the roadway, stop the bus in a safe area, and then use the WCD.

- 65. Furthermore, it shall be the policy of the Board that school bus operators shall adhere to all District policies pertaining to staff use of WCDs (see Policy 7530.01 and Policy 8625) and two-way radios.
- 76. Safety will always be the priority while driving a school bus. Any deviation to the above policy will result in disciplinary action as set forth in Board policy or the collective bargaining agreement.

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Legal <u>F.S. 1006.21</u>

F.S. 1006.22

F.A.C. 6A-3.0171(s)(c) F.A.C. 6A-3.0171(2)(e)

Last Modified by Marie Soetidjo on December 21, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title TRANSPORTATION ROUTE PLANNING

Code \*\*po8610 10/31/23 MM; PG 12-20-23

Status

Adopted May 1, 2002

#### 8610 - TRANSPORTATION ROUTE PLANNING

- 1. School bus and other School Board-approved vehicle routes shall be scheduled along regularly maintained all-weather highways in such a manner as to utilize the maximum time, distance, and number of students transported. All-weather roads are defined as: hard-surfaced construction regularly maintained pavement, parked marl, etc.; twenty (20) feet in width; shoulder clearance of five (5) feet on each side; overhead clearance twelve (12) feet under all weather conditions; free from obstruction, and free from bridges less than bus weight.
- 2. School buses and other School Board-approved vehicles may be directed on circuitous routes in order to avoid stops on four-lane or heavily traveled highways, or at the end of bus routes, if recommended by the Superintendent and approved by the Board.
- 3. School bus rRoutes shall be designated to the maximum extent possible so the need for backing or a three-point turnaround is eliminated.
- 4. Bus sStops shall be designated at the most reasonably safe location for the area being served. There shall be a minimum distance of 200 feet between bus stops unless an unusual circumstance dictates otherwise. Whenever possible, school bus stops shall not be designated where the visibility is obscured for a distance of 200 feet either way from the bus.

# Neola 2023

Legal <u>F.S. 1006.21</u>

F.S. 1006.22

Last Modified by Paul Gibbs on December 20, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title BAN ON TEXTING WHILE DRIVING

\*po8625 10/31/23 MM

Status

#### 1.8625 BAN ON TEXTING WHILE DRIVING

1. It is the intent of the School—Board to improve roadway safety for operators and passengers of District motor vehicles and buses and motor vehicles being operated on District property. personal vehicles while employees are driving to/from any location for District business.

#### I 2. DEFINITIONS

**3A.** "Motor vehicle" means all District-owned, operated, rented, contracted or leased passenger vehicles, including school buses, as well as any motor vehicle that is privately owned or leased and is used to transport Board employees and students where such use is subject to Board or Superintendent authorization and approval, or operated by a Board employee while traveling to or from any location on official school business. A motor vehicle (other than a school bus) that is stationary is not being operated and is not subject to the prohibition in this policy. Policy 8606 and Policy 8600.04 further governs the use of wireless communication devices by school bus operators.

**4B.** "Wireless communication device" means any handheld device used or capable of being used in a handheld manner, that is designed or intended to receive or transmit text or character-based messages, access or store data, or connected to the Internet or any communications service as defined in F.S. 812.15 and that allows text communications. WCDs include, but are not limited to, cellular and wireless telephones, pagers/beepers, personal digital assistants (PDAs), Blackberries/Smartphones, and other Wi-Fienabled or broadband access devices.

#### **II General Prohibitions**

- 1. 52. A Board employee shall not operate a District motor vehicle at any time, or a personal vehicle while driving to/from any location on school business, while manually typing or entering multiple letters, numbers, symbols, or other characters into a wireless communications device or while sending or reading messages on such a device for the purpose of non-voice interpersonal communication, including, but not limited to, communication methods known as texting, e-mailing, instant messaging, and snap chatting.
- 2. 63. This prohibition does not apply to those acts authorized by F.S. 316.305 that, include, but are not limited to, the following:
  - A. performing certain official duties while operating an authorized emergency vehicle as defined in F.S. 322.01, a law enforcement or fire service professional, or an emergency medical services professional;
  - B. reporting an emergency or criminal or suspicious activity to law enforcement authorities;
  - C. receiving messages that are:
    - i. related to the operation or navigation of the motor vehicle;
    - ii. safety-related information, including emergency, traffic, or weather alerts;

AIVIERICIII. data used primarily by the motor vehicle; or

iv. radio broadcasts.

- D. using a navigation system or device; or
- E. conducting wireless interpersonal communication that does not require manual entry of information or reading text messages, except to activate, deactivate, or initiate a feature or function.
- 74. A Board employee who violates this policy is subject to disciplinary action up to and including termination.

#### III Hands-Free in School Crossings, School Zones, and Work Zone Areas

1. Board employees shall not operate a District motor vehicle at any time, or a personal vehicle while driving to/from any location on school business while using a wireless communications device in a handheld manner in a designated school crossing, school zone, or work zone areas as defined in F.S. 316.003.

2. This prohibition does not apply to those acts authorized by F.S. 316.306 that, include, but are not limited to, the following:

- A. performing certain official duties while operating an authorized emergency vehicle as defined in F.S. 322.01, a law enforcement or fire service professional, or an emergency medical services professional;
- B. reporting an emergency or criminal or suspicious activity to law enforcement authorities;
- C. receiving messages that are:
  - i. related to the operation or navigation of the motor vehicle;
  - ii. safety-related information, including emergency, traffic, or weather alerts;
  - iii. data used primarily by the motor vehicle; or
  - iv. radio broadcasts.
- D. using a device or system in a hands-free manner for navigation purposes;
- E. <u>using a wireless communications device hands-free or hands-free in voice-operated mode, including but not limited to, a factory-installed or after-market Bluetooth device; or</u>
- F. operating an autonomous vehicle, as defined in F.S. 316.003, in autonomous mode.
- 3. A Board employee who violates this policy is subject to disciplinary action up to and including termination.
- 4. 8. X ] Notwithstanding the provisions of F.S. 316.305(3)(c), a Board employee's billing records for a Board-supplied wireless communication device or the testimony of or written statements from appropriate authorities receiving such messages may be admissible as evidence in any District-initiated proceeding to determine whether a violation of this policy has been committed.

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F.S. 316.305

F.S. 316.306

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F.S. 316.305

# po8606 - USE OF WIRELESS COMMUNICATION DEVICES BY DISTRICT SCHOOL BUS OPERATORS

Last Modified by Marie Soetidjo on December 22, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title EMPLOYEE TRANSPORTATION

Code \*\*po8651 10/31/23 MM; PG 12-20-23

Status

Adopted May 1, 2002

#### 8651 - EMPLOYEE TRANSPORTATION BOARD-OWNED VEHICLES

The Board will permit the school buses owned or leased by this District to be used for purposes other than regularly scheduled routes to and from school in accordance with law and rules of the State, provided such trips do not interfere with routine school transportation services.

It shall be the policy of the School Board that employee use of Board-owned vehicles shall be limited to those employees whose duties require such use.

- A. Upon approval of the Superintendent, transportation may be provided for employees when their duties are required at more than one school site. Upon recommendation of the Superintendent and Board approval, a Board-owned vehicle may be assigned to an employee if, in the judgment of the Superintendent, specific work circumstances require it.
- B. Upon recommendation of the department head, and approval of the division head and the Superintendent, vehicles may be assigned on a twenty four hour basis to employees when necessary. These vehicles shall be used for official school board business only. An employee may be assigned a vehicle if, in the judgment of the Superintendent, specific work circumstances require it.
- C. Employees whose duties require the use of a vehicle during duty hours shall be issued a vehicle. In cases of an emergency, the department head may assign a vehicle overnight to an employee. The employee will use the assigned Board-owned vehicle for official Board business only, and will return the Board-owned vehicle to District property upon completion of his/her assigned duties daily.
- D. Authorized employee travel in their personal vehicle for School Board business shall be reimbursed at the approved rate for official travel. In addition to using the assigned Board-owned vehicle for official Board business, the vehicle may be used for transportation to and from work. However, if the assigned Board-owned vehicle is used for transportation to and from work, the employee will be advised of the potential tax consequences for such routine use.
- E. Volunteers may be transported on school buses, if space is available on established routes.
- F. Unauthorized use of Board-owned vehicles will be cause for disciplinary action.
- G. Employees who use a Board-owned vehicle shall notify their supervisor as to any accident or mechanical defect experienced with the vehicle. The Transportation Director shall arrange for necessary repairs to be made.
- H. Failure to report an accident or a mechanical defect experienced when operating a Board-owned vehicle may be cause for disciplinary action.
- I. The Superintendent shall require that all Board-owned vehicles are inspected at regular intervals. The vehicles shall be placed in the District's garage(s) for repairs or service if needed.

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Legal F.S. 1006.21



Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title TRANSPORTATION BY PRIVATE VEHICLE

Code \*po8660 10/31/23 MM

Status

Adopted May 1, 2002

## I 1. 8660 - TRANSPORTATION BY PRIVATE VEHICLE ALTERNATIVE TRANSPORTATION METHODS

The Board authorizes students to be transported from the school in a privately owned vehicle on a case by case basis upon verification that the:

- A. driver of the vehicle has a valid Florida drivers license;
- B. owner shows evidence that they have adequate automobile liability insurance during the time it is used to transport students;
- C. vehicle is designed to transport ten (10) or fewer passengers and meets all Federal motor safety standards for passenger cars; and the vehicle is in compliance with any administrative guideline developed for this policy;
- D. students are transported only in designated seating positions and that the driver and all passengers are employing the occupant crash protection system provided by the vehicle manufacturer;
- E. non student driver has completed a criminal background screen that is in compliance with Board Policy 8475.

Upon approval of all the items listed above, the school principal or his/her designee can authorize students to travel in privately owned vehicles in any of the three (3) circumstances listed below:

- A. When a student is ill or injured and must be taken home or to a medical treatment facility under non-emergency circumstances; and
  - 1. The school has been unable to contact the student's parent or the parent or responsible adult designated by the parent is not available to provide the transportation;
  - 2. Proper adult supervision of the student is available at the location to which the student is being transported;
  - The transportation is approved by the school principal, or a school administrator designated by the principal to grant
    or deny such approval, or in the absence of the principal and designee, by the highest ranking school administrator or
    teacher available under the circumstances; and
  - 4. If the school has been unable to contact the parent prior to the transportation, the school shall continue to seek to contact the parent until the school is able to notify the parent of the transportation and the pertinent circumstances.
- B. When the transportation is in connection with a school function or event regarding which the school has undertaken to participate or to sponsor or provide the participation of students; and
  - The function or event is a single event that is not part of a scheduled series or sequence of events to the same location, such as, but not limited to, a field trip, a recreational outing, an interscholastic competition or cooperative event, an event connected with an extra-curricular activity offered by the school, or an event connected to an educational program, such as, but not limited to, a job interview as part of a cooperative education program;
  - 2. Transportation is not available, as a practical matter, using a school bus or School District passenger car; and FL-BREVARD-23-1239-A-000713

- Each student's parent is notified, in writing, regarding the transportation arrangement and gives written
  consent before a student is transported in a privately owned motor vehicle.
- C. When a school principal and the students parent approves in writing that an employee such as school social workers or attendance officer to use their own motor vehicles to perform their duties of employment and such duties include the occasional transportation of students.

Schools may contract with a common carrier to transport students to and from in season and post season athletic contests and to and from a school function or event in which the school has undertaken to participate or to provide for or sponsor the participation of students. All common carriers' contracted to provide transportation services for a school must be approved by the District's Office of Transportation Services in advance of use.

Notwithstanding any other provision of this policy, in an emergency situation that constitutes an imminent threat to student health or safety, school personnel may take whatever action is necessary under the circumstances to protect a student's health and safety.

Revised 4/28/09 Revised 8/09 Revised 7/22/14

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21. For purposes of this policy, "regular transportation" or "regular use" means transportation to and from school or school-related activities which are part of a scheduled series or sequence of events to the same location.

#### II 32. [X] Regular Transportation - In School Buses

- 1. 43. The School Board [] shall [X] may [END OF OPTION] use school buses, as defined in Florida statutes, for all regular transportation of students, pre-kindergarten through grade 12. [X] School buses are to be used whenever practical.
- III 5. [X] Regular Transportation In Other Vehicles
- 1. 64. Regular transportation of students in motor vehicles other than school buses may occur only under the following conditions:
  - **A.** (**X**) when transportation is for physically handicapped or isolated students and the Board has elected to provide for the transportation of the student through written [**X**] contracts or agreements.;
  - **B.** (**X** ) when the transportation is part of a comprehensive contract for a specialized educational program between the Board and a service provider for instruction, transportation, and other services.;
  - C. (X ) when the transportation is provided through a public transit system.;
  - **D.** (**X** ) when the transportation is for trips to and from school sites or agricultural education sites or for trips to and from agricultural education-related events or competitions but is not customary transportation between a student's residence and such sites; and.
  - **E.** (**X** ) when the transportation is for trips to and from school sites but is not customary transportation between a student's residence and such sites.
- 2. 75. When the regular transportation of students is provided, as authorized above, in a vehicle other than a school bus that is owned, operated, rented, contracted, or leased by the District, the following provisions shall apply:

  FI -BREVARD-23-1239-A-000714

- **A. (X)** The vehicle must be designed to transport fewer than ten (10) students or be a multifunction school activity bus, as defined in 49 C.F.R. Part 571.3, if it is designed to transport more than ten (10) persons. Students must be transported in designated seating positions and must use the occupant crash protection system provided by the manufacturer unless the student's physical condition prohibits such use.
- **B.** (**X** ) An authorized vehicle may not be driven by a student on a public right-of-way. An authorized vehicle may be driven by a student on school or private property as part of the student's educational curriculum if no other student is in the vehicle.
- **C.** ( **X**) The driver of an authorized vehicle transporting students must maintain a valid driver license and must comply with the requirements of the School District's locally adopted safe driver plan, which includes a review of driving records for disqualifying violations.
- IV 8. Transportation by Private Vehicles
- 9. [X ] Option 2
- 1. 106. Except as provided above, the transportation and a students in private vehicles may be authorized by the principal on a case-by-case basis only under the following conditions:
  - A. (X) When a student is ill or injured and must be taken home or to a medical treatment facility under non-



- **B.** ( X) the school has been unable to contact the student's parent or guardian, or such parent, guardian, or responsible adult designated by the parent or guardian is not available to provide the transportation; and
- **C.** (**X** ) proper adult supervision of the student is available at the location to which the student is being transported; and
- D. (X) the transportation is approved by the school principal or designee; and
- **E.** (**X**) if the school had been unable to contact the parent or guardian prior to the transportation, the school continues to attempt to contact the parent or guardian until the school is able to notify the parent or guardian of the transportation and the circumstances.
- **F. (X)** When the transportation is in connection with a school function or event in which the school has undertaken to participate and
- **G. (X )** the function is a single event which is not part of a scheduled series or sequence of events to the same location; such as, but not limited to, a field trip, recreational outing, a competitive or cooperative event, or an event connected to an educational program; and
- H. (X) transportation is not available, as a practical matter, using a school bus or Board passenger car; and
- **I.** (**X** ) each student's parent or guardian is notified in writing about the transportation arrangement and gives written consent before a student is transported in a private vehicle.
- **J. (X )** When Board employees are required to use their own vehicle to perform duties of employment and such duties include the occasional transportation of students.



- 2. 417. Any private vehicle used to transport students under this policy shall be currently registered in the State of Florida, be insured for personal injury protection and property damage liability in at least the minimum amounts required by law, and be in good working order. A Board employee, parent, or other adult wishing to transport students in a private vehicle will request approval by submitting his/her driver's license, vehicle registration, and insurance ID card along with the completed Form 8660 F1 to the principal in a reasonable amount of time before the planned travel. The principal will follow the established procedure to determine whether approval of the request to transport students in a private vehicle is appropriate.
- 3. 812. Student transportation in private vehicles may only be authorized for trips within the State of Florida. A student who is transported to an activity in a private vehicle approved under this policy shall return from the activity in the same vehicle unless the student is released to his/her parent.

#### V 13. Insurance/Liability

- 1. 449. Board employees will be covered by the Board's liability program when they are transporting students as part of their assigned or related duties. Benefits due from private vehicle insurance will be primary, except for workers' compensation, in accordance with State law.
- 2. 4510. Parents or other adults are not covered by the Board's liability program when they are transporting students and, therefore, must have adequate insurance during the time that the vehicle is being used to transport students.
- VI 16. Emergency Threat to Student Health or Safety
- 1. 4711. Notwithstanding any other provision of this policy, in an emergency situation which constitutes an imminent threat to student health or safety, school personnel may take whatever action is necessary under the circumstances to protect students.
- 2. 4812. Any violation of this policy may subject an employee to discipline up to and including termination from



# employment.

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# Legal References F.S. 1006.22

Legal <u>F.S. 1006.22</u>

Last Modified by Marie Soetidjo on December 22, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title MODEL POLICY ON RELIGIOUS EXPRESSION IN PUBLIC SCHOOLS

Code \*po8805 12/15/23 JR (NEW)

Status

It is the policy of the School District that the District will not discriminate against a student, parent, or school personnel on the basis of a religious viewpoint or religious expression.

#### I. Student Expression of Religious Viewpoints

- A. The School District will treat a student's voluntary expression of a religious viewpoint on an otherwise permissible subject in the same manner that a School District treats a student's voluntary expression of a secular viewpoint.
- B. A student may express his/her religious beliefs in coursework, artwork, and other written and oral assignments free from discrimination. A student's homework and classroom assignments shall be evaluated, regardless of their religious content, based on expected academic standards relating to the course curriculum and requirements.
- C. A student may not be penalized or rewarded based on the religious content of his/her work if the coursework, artwork, or other written or oral assignments require a student's viewpoint to be expressed.

#### II. Religious Clothing, Jewelry, and Accessories

A student may wear clothing, accessories, and jewelry that display a religious message or symbol in the same manner and to the same extent that secular types of clothing, accessories, and jewelry that display messages or symbols are permitted to be worn.

#### III. Students Engaging in Religious Activities and Expression at School

- A. A student may pray or engage in religious activities or religious expression before, during, and after the school day in the same manner and to the same extent that a student may engage in secular activities or expression.
- B. A student may organize prayer groups, religion clubs, and other religious gatherings before, during, and after the school day in the same manner and to the same extent that a student is permitted to organize secular activities and groups.

#### IV. Employees Engaging in Religious Activities and Expression at School

- A. The School District may not prevent school personnel from participating in religious activities on school grounds that are initiated by students at reasonable times before or after the school day if such activities are voluntary and do not conflict with the responsibilities or assignments of such personnel.
- B. The School District must comply with the Federal requirements in Title VII of the Civil Rights Act of 1964, which prohibits an employer from discriminating against an employee on the basis of religion.

#### V. Equal Access to School Facilities

- A. The School District shall give religious groups access to the same school facilities for assembling as given to secular groups without discrimination based on the religious content of the group's expression.
- B. A group that meets for prayer or other religious speech may advertise or announce its meetings in the same manner and to the same extent that a secular group may advertise or announce its meetings.

#### VI. Limited Public Forum Required for Student Speakers

The School District is required to establish a limited public forum for student speakers at any school event where a student is to speak publicly. Where student speakers are permitted, the District must:

- A. provide the forum in a manner that does not discriminate against a student's voluntary expression of a religious viewpoint on an otherwise permissible subject;
- B. provide a method based on neutral criteria for the selection of student speakers at school events, activities, and graduation ceremonies;
- C. ensure that a student speaker does not engage in obscene, vulgar, offensively lewd, or indecent speech; and
- D. state in oral or written form that the student's speech does not reflect the endorsement, sponsorship, position, or expression of the School District. The School District must deliver this required disclaimer at all graduation events and at any other event where a student speaks publicly.

Student expression of a religious viewpoint on an otherwise permissible subject may not be excluded from the limited public forum.

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Legal References

F.S. 1002.206

AMERICAN Last Modified by James Rehmer on January 5, 2024





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title THE AMERICAN FLAG

Code \*\*po8810 12/18/23 CM; PG 12-21-23

Status

Adopted May 1, 2002

Last Revised October 9, 2018

# 8810 - THE AMERICAN FLAG, THE FLAG OF THE STATE OF FLORIDA, AND THE OFFICIAL MOTTO OF THE STATE OF FLORIDA

#### I. Salute to the American Flag

The Pledge of Allegiance to the American Flag shall be rendered daily according to the provisions of F.S. 1003.44.

#### II. Display of the American Flag and the Flag of the State of Florida

A. Out-of-Doors (American Flag and the Flag of the State of Florida)

The flag of the United States flags shall be displayed daily at each school and upon every District building or grounds on a suitable flag staff when the weather permits, except when the District is closed for vacation.

B. In the Classroom

Each public K-20 educational institution that is provided or authorized by the Constitution and laws of Florida shall display daily in each classroom the flag of the United States. The flag must be made in the United States, must be at least two (2) feet by three (3) feet, and must be properly displayed in accordance with Title 4 U.S.C.

#### III. Flying the Flag at Half-Staff

Etiquette regarding the U.S. Flag says, "The flag is to be flown at half-staff in mourning for designated, principal government leaders and upon **presidential** or **qubernatorial** order."

Revised 10/9/18

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Legal <u>F.S. 1000.06</u>

F.S. 1001.41 F.S. 1003.44

U.S. Public Law No. 623, as amended by U.S. Public Law No. 829

Last Modified by Paul Gibbs on December 21, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title HOME EDUCATION PROGRAM

Code \*\*po9270 12/14/2023 PF; PG 12-20-23

Status

Adopted May 1, 2002

Last Revised September 11, 2018

#### 9270 - HOME EDUCATION PROGRAMS

A "home education program" means the sequentially progressive instruction of a student directed by his/her parent/legal guardian in order to satisfy the attendance requirements set forth in State law.

Home education programs are excluded from meeting the day or hour requirements of the school day or school year.

#### I. Establishment of a Home Education Program

- A. Parents/Legal guardians residing in the District seeking to establish a home education program for their child shall notify the Superintendent of their intent to establish and maintain a home education program. Home school students will not be assigned a grade level by the District.
- B. If the student has previously not been enrolled in the District, when making such notification, the parent shall also comply with the residency verification required by State law and Policy 5112 Entrance Requirements.
- C. The notice must shall be in writing, signed by the parent/legal guardian, and must shall include the full legal names, addresses, and birthdates of all children who shall be enrolled as students in the home education program. The District may not require any additional information or verification from the parent/legal guardian unless the student chooses to participate in a District program or service. If the parent/legal guardian of a child who has been identified as exhibiting a pattern of nonattendance enrolls the child in a home education program, the Superintendent shall provide the parent/legal guardian with a copy of F.S. 1002.41, and a copy of the accountability requirements set forth in F.S. 1003.26(1)(f) with which the parent/legal guardian shall be expected to comply, and a copy of Policy 5200 which sets forth the actions that must be taken for noncompliance.
- D. Parents/Legal guardians establishing and maintaining a home education program are not required to hold a valid regular Florida teaching certificate.
- E. The notice must shall be filed in the Superintendent's office within thirty (30) days of the establishment of the home education program.
- F. The Superintendent shall accept the notice and immediately register the home education program upon receipt of the notice. A parent is not required to submit any additional information or verification unless the student chooses to participate in a District program or service. If the student chooses to participate in a District program or service, s/he will be required to supply the District with the same information that is required of the District's students in order to participate in the program or service.
- II. Home education program students will be provided written notification of the available industry certifications, national assessments, and Statewide, standardized assessments offered by the District. The notice will include the following:
  - A. the date, time and locations of the administration of each certification and assessment; and
  - B. the deadline for notifying the District of the student's intent to participate and the student's preferred to participate and the student and the student

Parents must file a A written notice of termination in the Superintendent's office within thirty (30) days of completion of the home education program. The written notice must also include a copy of the student's Annual Educational Evaluation. Shall be filed in the Superintendent's office within thirty (30) days after said termination.

#### III. Portfolios

- A. Parents/Legal guardians who establish a home education program shall maintain a portfolio of records and materials. As required by State law, the portfolio must shall consist of the following:
  - 1. a log of educational activities that is made contemporaneously with the instruction and that designates by title any reading materials used; and
  - 2. samples of any writings, worksheets, workbooks, or creative materials used or developed by the student.

Parents The shall determine the content of the portfolio, preserve it shall be preserved by the parent/legal guardian for two (2) years, and make it and shall be made available for inspection by the Superintendent, if requested, upon fifteen (15) days' written notice

#### IV. Annual Educational Evaluation

- A. Parents/Legal guardians who establish a home education program shall provide for an annual educational evaluation documenting their child's demonstration of educational progress at a level commensurate with his/her ability. The parent/legal guardian shall select the method of evaluation and shall file a copy of the evaluation annually with the Superintendent's office in the District. The annual educational evaluation shall consist of one (1) of the following:
  - 1. A teacher selected by the parent/legal guardian shall evaluate the student's educational progress upon review of the portfolio and discussion with the student. Such teacher shall hold a valid regular Florida certificate to teacher academic subjects at the elementary or secondary level.
  - 2. The student shall take any nationally normed student achievement test administered by a certified teacher.
  - 3. The student shall take a State student assessment test used by the District and administered by a certified teacher, at a location, and under testing conditions approved by the District.
  - 4. The student shall be evaluated by an individual holding a valid, active license pursuant to the provisions of State law.
  - 5. The student shall be evaluated with any other valid measurement tool as mutually agreed upon by the Superintendent and the parent/legal guardian.
- B. The Superintendent shall review and accept the results of the annual educational evaluation of the student in a home education program and may also request that the parent/legal guardian submit the student's portfolio for review. Pursuant to State law, the parent/legal guardian must submit the portfolio within fifteen (15) days of receiving this notice.
- C. If the student does not demonstrate educational progress at a level commensurate with his/her ability, the Superintendent shall notify the parent/legal guardian, in writing, that such progress has not been achieved.
- D. The parent/legal guardian shall have one (1) year from the date of receipt of the written notification to provide remedial instruction to the student. At the end of the one (1) year probationary period, the student shall be reevaluated as specified in State law. Continuation in a home education program shall be contingent upon the student demonstrating educational progress commensurate with his/her ability at the end of the probationary period.

#### V. Home Education Student Participation in Certain Activities

- A. In accordance with Florida law, home education program students may participate in certain activities associated with the District. These activities include, but are not limited to, the following:
  - 1. interscholastic extra-curricular student activities;
  - 2. dual enrollment programs; and
  - 3. District virtual instruction programs.;
  - 4. career and technical courses and programs when the student enrolls in a public school solely for career and technical courses and programs; and
  - 5. industry certifications, national assessments, and statewide, standardized assessments offered by the District.

Α.

- 1. interscholastic extra-curricular student activities;
  - A. 5. industry certifications, national assessments, and statewide, standardized assessments offered by the District.
- B. Furthermore, home education program students may also enroll in one (1) or more courses provided by the District for students in grades 7 through 12. The student's enrollment shall be on a space available basis. If the home education program student enrolls in one (1) or more courses, the student shall be subject to the rules and expectations that apply to all other enrolled students.

- A. Parents/Legal guardians of students not enrolled in the District who suspect that their child may have a disability or may be gifted should (1) contact the District's Exceptional Student Education office and request that their child be tested and evaluated; or (2) contact the Florida Department of Education's (FLDOE's) Diagnostic and Resources System (FDLRS) and request that their child be evaluated in accordance with State law. If requested to do so by a parent/legal guardian of a student suspected of having a disability or is gifted, the District shall perform testing and evaluation services for the student.
- B. If it is determined that a student meets eligibility requirements for exceptional student education, his/her parent/legal guardian(s) may enroll the child in the District so that the child may receive appropriate instruction and services as an ESE student, choose to educate the child in a home education program, or choose to access other educational options provided by State law, such scholarship programs as Personal Learning Scholarship Account (PLSA), McKay Scholarship Program, virtual education, etc. The District is not obligated to provide ESE instruction and services to eligible students who are not enrolled in the District.
- C. If the parent/legal guardian of a child with a disability who is currently enrolled in a home education program chooses to enroll the child full time in the District, the District shall provide a free appropriate public education in accordance with the terms of Policy 2460 Exceptional Student Education, the Individuals with Disabilities Education Improvement Act (IDEIA), Section 504 of the Rehabilitation Act of 1973, and any other applicable Florida and Federal laws.
- D. When a home education student with disabilities requests services from the District, the student is offered exceptional education and related services through an Individual Education Plan (IEP) that provides a free, appropriate, public education (FAPE). Only a full offer of FAPE through an IEP will be provided to students with disabilities who are home educated. All students who are eligible for special education and related services will be provided their services based on full FAPE IEP including students whose IEP provides for speech therapy, language therapy, occupational therapy, and/or physical therapy. In order to access the offer of FAPE, the student must re-enroll in the public school for the portion of the school day that the student accesses IEP services.
- E. Parents/Legal guardians are responsible for the transportation of students in home education/private schools programs both to and from the public school providing the course(s) of interest. The school principal will establish the time and place for the arrival and departure of home education/private school student accepted into the part-time program. All home education/private school students who attend District schools on a part-time basis are subject to the same relevant rules and regulations as full-time students. Beginning August, 2009, gifted program services are not provided to students who are enrolled in a private school or in home education.

Revised 4/28/09 Revised 5/09 Revised 12/13/11 Revised 9/11/18

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Legal

F.S. 490.003

<u>F.S. 1001.32(2)</u>

F.S. 1001.41

F.S. 1002.20

F.S. 1002.41

F.S. 1002.45

F.S. 1003.01

F.S. 1003.21

F.S. 1003.26

F.S. 1006.03

F.S. 1006.15

F.S. 1007.27

F.S. 1007.271

F.A.C. 6A-6.0331, General Education Intervention Procedures, Evaluation, Determination of Eligibility, Reevaluation and the Provision of Exceptional Student Education Services

FLDOE Home Education and ESE Services FAQs



# ap9270 - PROCEDURE FOR EDUCATING A CHILD AT HOME ap9270A - ADMISSION OF STUDENTS FROM NONACCREDITED SCHOOLS

Last Modified by Ronna Schindler on December 21, 2023





Section Board Recommended Policy Revisions Up To & Including Vol 24 No1

Title CHARTER SCHOOLS

Code \*\*po9800-12/4/23-MM;PG 12-20-23

Status

Adopted May 1, 2002

Last Revised March 7, 2023

#### 9800 - CHARTER SCHOOLS

F.S. 1002.33 empowers the Board with oversight responsibility for all charter schools situated within Brevard 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.

#### I. Charter Schools

- A. Approved charter schools are public schools and shall receive all goods and services from the Board as required by law and/or specified through a contract with the Board.
- B. 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 set forth in State law.
- C. In addition, a charter school that satisfies the requirements set forth in State law for designation as 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.
- D. 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.
- E. 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 only if the Board expressly finds that one (1) of the following grounds exists by clear and convincing evidence:
  - 1. Fails to participate in the State's education accountability system created in F.S. 1008.31; or
  - 2. Fails to meet the requirement for student performance as specified in the charter; fails to meet generally accepted standards of fiscal management due to deteriorating financial conditions or financial emergencies determined due to deteriorating financial conditions or financial emergencies determined pursuant to F.S. 1002.345; and/or
  - 3. Materially violates the law.
- F. 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.

- A. The District shall receive and consider charter school applications for charter schools to be opened at a time determined by the applicant. In addition, the Florida Charter School Review Commission, as authorized under F. S. 1002.3301, may solicit and review applications for charter schools to be located in this District. Within three (3) calendar days after an applicant submits an application for a charter school to the Commission for a charter school to be located in this District, the applicant must also provide a copy of the application by submitting it to the Charter School Office.
- B. Within thirty (30) calendar days after receiving a copy of the application, the District may provide input to the Commission on a form prescribed by the Florida Department of Education (FLDOE). If the commission approves the application, the Board shall enter into a charter contract with the approved charter school applicant and serve as the charter school's sponsor in accordance with state law, rules, this policy, and District procedures.
- C. The following pertains to the submission of the final application: An individual, teachers, parents, a group of individuals, a municipality, or a legal entity organized under the laws of this State anticipating submission of an application are urged to contact the Charter School Office for assistance prior to the completion of an application.
- D. Charter school applicants must participate in training provided by the FLDOE before filing an application.
- E. The Board and/or any of its designees shall not take unlawful reprisal against another Board employee because that employee is either directly or indirectly involved with a charter school application.
- F. Applicants must submit an application on the FLDOE's Standard Florida Charter School Application template and forms.
- G. The Board shall not charge any fees for processing or consideration of a final charter school application. The Board's approval of a charter school shall not be predicated on the promise of any future pay of any kind.
- H. The applicant and the Board may mutually agree, in writing, to extend the statutory timeline to consider the charter application. Such an agreement shall detail the extension date or timeframe.
- I. Charter schools shall not use or bear the name of an existing traditional public, charter, or private/parochial school in Brevard County.
- J. Applications shall be submitted to The Superintendent of Schools Brevard County, Florida.
- K. The Board shall review all applications using the evaluation instrument developed by the FLDOE.

#### III. Application Contents

A. State Application Form found on the District's website.

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B. Applications must be submitted using the Standard Charter School Application form developed and distributed by the FLDOE.

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- C. Statement of Assurances
  - 1. Applicants are required to sign under the penalties of perjury the Statement of Assurances from contained within the Standard Charter School Application developed and distributed by the FLDOE.
- D. Draft Charter
  - 1. The application must include a draft of the proposed charter and all forms required by the FLDOE. The information contained in the proposed charter must be in substantially the same format as the Florida Standard Charter Contract Form prescribed by the FLDOE. The District shall receive and review all final applications using an evaluation instrument developed by the FLDOE.

#### **Final Application Evaluation Process**

- A. The District shall receive and review all final applications using an evaluation instrument developed by the FLDOE.
  - A. B. The Board shall evaluate all timely applications as submitted. During the evaluation process:
    - 1. Applications cannot be amended;
    - 2. Missing documentation and unsolicited information will not be accepted or considered.
    - 3. As required by law, the Board shall allow the applicant, upon receipt of written notification, seven (7) calendar days to make technical or nonsubstantive corrections and clarifications, including but not limited to the correction of grammatical, typographical, and like errors and to add missing signatures if such are said and tied as sauce to

deny the final application.

- B. The Board shall deny any final application that does not comply with the statutory requirements and/or the Board's instructions for charter school applications.
- C. Additional Information
  - 1. The Board may solicit information regarding 1) history and background of individual applicants and/or founding governing boards and its individual members including, but not limited to, a demonstration of the professional experience or competence of those individuals or organizations applying to operate the charter school or those hired or retained to perform professional services; and 2) the description of clearly delineated responsibilities and the policies and practices needed to effectively manage the charter school. A description of internal audit procedures and the establishment of controls to ensure that the financial resources are properly managed must be included. This information may be used to evaluate the applicant's ability to operate a charter school.
  - 2. The Board may solicit additional information during the review and evaluation of the charter school application such as whether the applicant currently operates charter schools in Florida and if the proposed school will be a replication of an existing school design. This information may be used to evaluate the applicant's ability to operate a charter school.
  - 3. The applicant may provide evidence of prior experience in establishing and operating public charter schools.
  - 4. Evidence of prior experience and success in establishing and operating charter schools shall be weighed in making a determination to recommend approval or denial of an application.

#### D. Application Review Committee (ARC)

- A. The purpose of this committee is to identify deficiencies in the written application and/or areas that require clarification to fully evaluate the quality of the application or the capacity of the group to properly implement the proposed plan.
- B. The ARC shall be comprised of members designated by the Superintendent's cabinet or their appropriate designees, school principals, and other administrators from the following areas of expertise:
  - 1. District Operations/Safety;
  - 2. Charter School Operationsffice (Chair);
  - 3. Leading and Learning Curriculum and Instruction;
  - 4. Student Services
  - 5. Facilities
  - 6. Financial Operations
  - 7. Human Resources
  - 8. Education (Chief of Schools)
- C. A majority of the entire membership constitutes a quorum for voting purposes. The chair shall be a non-voting member except in case of a tie vote.
- D. Applicants shall be notified and given the opportunity to attend the review. The applicant will be encouraged to have at least one (1) governing board member present. The ARC may, at its sole discretion, evaluate the application without any additional input from the applicant if at least one (1) governing board member of the charter school is not available.
- E. By majority vote, the ARC shall make a recommendation to the Superintendent to approve or deny each application.
- F. All applications will be summitted to the Board by the Superintendent with a recommendation for approval or denial no later than ninety (90) calendar days after the application is received, unless the applicant and the Board mutually agree, in writing, to postpone the vote to a specific date, at which time the Board shall approve or deny the application.
- G. An application submitted by a high-performing charter school that has satisfied the requirements set forth in State law for such designation or a high-performing charter school system as set forth in F.S. 1002.332 may be denied by the Board only if the Superintendent demonstrates by clear and convincing evidence that the application failed to meet A lone (1) or more of the criteria set forth in F.S. 1002.33(6)(b)(3)(b):
  - 1. The application of a high-performing charter school does not materially comply with the requirements set forth in F.S. 1002.33(a) or, for a high-performing charter school system, the application does not materially comply

with F.S. 1002.332(2)(b).

- 2. The charter school proposed in the application does not materially comply with the requirements in F. S. 1002.33(9).
- 3. The proposed charter school's educational program does not substantially replicate that of the applicant's high-performing charter school.
- 4. The applicant has made a material misrepresentation or false statement or concealed an essential or material fact during the application process.
- 5. The proposed charter school's educational program and financial management practices do not materially comply with the requirements of F.S. 1002.33.
- H. If the Board denies an application submitted by a high-performing charter school or a high-performing charter school system, the specific reasons, based upon the criteria set forth in F.S. 1002.33(3)(b), for the denial shall be provided in writing to the applicant and the FLDOE within ten (10) calendar days after such denial.

#### E. Appeal of a Decision to Deny a Final Application

- A. Pursuant State law, an applicant may, no later than thirty (30) calendar days after receiving the Board's final order denying a final application or upon the Board's failure to act on a final application, appeal the Board's decision to the State Board of Education. The applicant shall notify the Board of the appeal. Such appeals shall be conducted in accordance with F.S. 1002.33(6) and applicable State Board rules.
- B. In accordance with State Board rule, the State Board of Education shall by majority vote accept or reject the decision of the Board no later than ninety (90) calendar days after the appeal is filed. The State Board of Education shall remand the application to the Board within its written decision that the Board approves or denies the application. The Board shall implement the decision of the State Board of Education.
- C. The decision of the State Board of Education is not subject to the provisions of the Administrative Procedure Act. If the Board denies an application submitted by a high-performing charter school or a high-performing charter school system, the Board shall, within ten (10) calendar days after such denial, state in writing the specific reasons, based on the criteria of F.S. 1002.33 supporting its denial of the final application and must provide the letter of denial and supporting documentation to the applicant and to the Department.
- D. The applicant may appeal the Board's denial of the final application in accordance with F.S. 1002.33. If a high-performing charter school or high-performing charter school system appeals the denial of an application, the State Board of Education shall determine whether the sponsor's denial was in accordance with F.S. 1002.33(b)3.b.
- E. The sponsor shall act upon the decision of the State Board of Education within thirty (30) calendar days after it is received. The State Board of Education's decision is a final action subject to judicial review in the district court of appeal. A prevailing party may file an action with the Division of Administrative Hearings to recover reasonable attorney fees and costs incurred during the denial of the application and any appeals.

#### F. Appeal of a Proposed Termination or Nonrenewal of a Charter

- A. Before a vote on any proposed action to renew, terminate, other than an immediate termination under F.S. 1002.33(8)(c), or to not renew the charter at least ninety (90) days before the end of the school year.
- B. The Board shall notify the charter school's governing board in writing of its proposed action to renew, terminate, or not renew the charter.
- C. A charter automatically renews with the same terms and conditions if notification does not occur at least ninety (90) days before the end of the school year.
- D. The notice shall state in reasonable detail the grounds for the proposed action and stipulate that the charter school's governing board may, within fourteen (14) calendar days after receiving the notice, request a hearing. The hearing shall be conducted by an administrative law judge assigned by the Florida Division of Administrative Hearings. The hearing shall be conducted within ninety (90) days after receipt of the request for a hearing and in accordance with F.S. Chapter 120. The administrative law judge's final order shall be submitted to the Board. The administrative law judge shall award the prevailing party reasonable attorney fees and costs incurred during the administrative proceeding and any appeals.
- E. The charter school's governing board may, within thirty (30) calendar days after receiving the final order, appeal the decision pursuant to F.S. 120.68.

F. A charter may be terminated immediately if the Board sets forth in writing the particular facts and circumstances demonstrating that an immediate and serious danger to the health, safety per welfare of the charter school students exists, and that the immediate and serious danger is likely to continue, and that an immediate termination of the

charter is necessary.

- G. The Board's determination is subject to the procedures set forth in F.S. 1002.33 (8, b and c) except that the hearing may take place after the charter has been terminated. The Board shall notify in writing the charter school's governing board, the charter school principal, and the FLDOE of the facts and circumstances supporting the immediate termination. The Board shall clearly identify the specific issues that resulted in the immediate termination and provide evidence of prior notification of issues resulting in the immediate termination, if applicable.
- H. Upon receiving written notice from the board, the charter school's governing board has ten (10) calendar days to request a hearing. A requested hearing must be expedited, and the final order must be issued within sixty (60) days after the date of the request. The administrative law judge shall award reasonable attorney fees and costs to the prevailing party of any injunction, administrative proceeding, or appeal. The sponsor may seek an injunction in the circuit court in which the charter school is located to enjoin continued operation of the charter school if continued operation would materially threaten the health, safety, or welfare of the students.

#### G. Charter School Obligations Upon Initial Notification of Nonrenewal, Closure, or Termination of a Charter

- A. Upon initial notification of nonrenewal, closure, or termination of its charter, a charter school may not expend more than \$10,000 per expenditure without prior written approval from the District unless such expenditure was included within the annual budget submitted to the District pursuant to the charter contract, is for reasonable attorney fees and costs during the pendency of any appeal or is for reasonable fees and costs to conduct an independent audit.
- B. An independent audit shall be completed within thirty (30) days after notice of nonrenewal, closure, or termination to account for all public funds and assets.
- C. A provision in a charter contract that contains an acceleration clause requiring the expenditure of funds based upon closure or upon notification of nonrenewal or termination is void and unenforceable.
- D. A charter school may not enter into a contract with an employee that exceeds the term of the school's charter contract with the District.
- E. A violation of this section triggers a reversion or claw back power by the District allowing for the collection of an amount equal to or less than the accelerated amount that exceeds normal expenditures. The reversion or claw back plus legal fees and costs shall be levied against the person or entity receiving the accelerated amount.

#### **H. Charter Contract and Contract Negotiation Process**

- A. A standard charter contract shall be consistent with this policy and will be used as the basis for all charters approved under this policy.
- B. All contracts and contract amendments, as approved by the CRC, must be presented to the Board for approval. The charter contract must contain all the information set forth in the Florida Standard Charter Contract Form prescribed by the FLDOE.
- C. The charter contract shall also include a provision requiring the charter school to be held responsible for all costs associated with, but not limited to, mediation, damages, and attorney fees incurred by the District in connection with complaints to the Office of Civil Rights or the Equal Employment Opportunity Commission.

#### I. Initial Charter Contract:

- A. Initial contract shall be for a term of four (4) or five (5) years unless a longer term is specifically required by law.
- B. Before a recommendation regarding whether or not the Board should approve an initial contract, evidence of the following shall be provided:
- C. Evidence of a proper legal structure (e.g., articles of incorporation, bylaws, municipal charter). The applicant shall be a not for profit organized pursuant to F. S. Chapter 617.
- D. Except for virtual charter schools, actual locations, and evidence that a facility has been secured for the term of the charter, or a deadline for submitting evidence that a facility has been secured. Evidence should include but is not limited to:
  - 1. Letter of intent from the landlord or mortgagee indicating property usage and term of occupancy;
  - 2. Executed lease or certification of occupancy; and/or
  - 3. Use or occupational license indicating proper use.
  - 4. All facilities must meet the requirements set forth in F.S. 1002.23-1-BREVARD-23-1239-A-000730

#### J. Charter Contract Negotiations

- A. The Board shall have thirty (30) days after approval of an application to provide an initial proposed charter contract to the charter school.
- B. The applicant and the Board shall have forty (40) days thereafter to negotiate and notice the charter contract for final approval by the Board unless both parties agree to an extension. Agreed upon extensions for an additional ninety (90) days may be implemented in such extension.
- C. The proposed charter contract shall be provided to the charter school at least seven (7) calendar days prior to the date of the meeting at which the charter is scheduled to be voted upon by the Board.
- D. The Department of Education shall provide mediation services for any dispute regarding this section subsequent to the approval of a charter application and for any dispute relating to the approved charter, except disputes regarding charter school application denials.
- E. If either the charter school or the sponsor indicates in writing that the party does not desire to settle any dispute arising under this section through mediation procedures offered by the Department of Education, a charter school may immediately appeal any formal or informal decision by the sponsor to an administrative law judge appointed by the Division of Administrative Hearings.
- F. If the Commission of Education determines that the dispute cannot be settled through mediation, the dispute may also be appealed to an administrative law judge appointed by the Florida Division of Administrative Hearings. The administrative law judge has final order authority to rule on issues of equitable treatment of the charter school as a public school, whether proposed provisions of the charter violate the intendent flexibility granted charter schools by statute or on any other matter regarding this section, except a charter school application denial, a charter termination, or a charter nonrenewal and shall award the prevailing party reasonable attorney's fees and costs incurred during the mediation process, administrative proceeding, and any appeals to be paid by the losing party.

#### K. Request to Extend Negotiations/School Opening

- A. The applicant and Board may mutually agree to extend the statutory timeline to negotiate and consider approval of the charter contract for a period not to exceed one (1) year from the approved opening date in the charter contract for a period not to exceed one (1) year from the approved opening date in the charter school application. Requests shall be submitted, in writing, to the Charter School Office by an authorized agent of the charter school, detailing the reason for the requested extension.
- B. In the event that the statutory timeline to negotiate and enter into a charter contract is extended, the applicant shall update its charter school application prior to resuming negotiations with regard to: 1) updated budget; and 2) applicable revisions necessitated by the delay.
- C. The application shall be automatically rescinded, without further action by the Board, if the applicant does not enter into contract negotiations or open the school within: 1) the timeline specified by law, or 2) the date of extension has been mutually agreed upon in writing by both parties.
- D. A charter school may defer the opening of the schools' operations for up to three (3) years to provide time for adequate facility planning. The charter school must provide written notice of such intent to the Board and the parents of enrolled students at least thirty (30) calendar days before the first day of school.
- E. In the event that the opening of the approved applicant's charter is deferred, the applicant shall update its charter school application prior to the opening of the charter school with regard to: 1) updated budget; and 2) applicable application revisions.
- F. An approved contract shall be automatically revoked, without further action by the Board, if the applicant does not open the school on the first day of school of the initial year indicated in the contract or on the first day of the school year indicated in the approved deferral.

#### L. Charter Contract Amendments/Modifications

- A. A charter may be modified during its term upon the recommendation of the Board or the charter school's governing board and the approval of both parties to the agreement. Changes to the curriculum which are consistent with State standards shall be deemed approved unless the sponsor and the Department of Education determined in writing that the curriculum is inconsistent with State standards.
- B. All modification must be mutual and in writing. Unilateral modification made by the charter school is grounds for MERICA termination or non-renewal. Modification during any term may include, but is not limited to, consolidation of multiple charters in a single charter if the charters are operated under the same governing board, regardless of the renewal cycle.

- C. A charter school that is not subject to a school improvement plan and that closes as part of a consolidation shall be reported by the District as a consolidation. A request for consolidation of multiple charters must be approved or denied within sixty (60) days after the submission of the request. If the request is denied, the Board shall notify the charter school's governing board of the denial and provide the specific reasons, in reasonable detail, for the denial of the request for consolidation within ten (10) days.
- D. Modifications may be considered by the Board for a number of reasons, which may include, but is not limited to, the health, safety, or welfare of the students.
- E. All contract amendment requests shall be submitted in writing to the Charter School Office by an authorized agent of the charter school. Additionally, information or documentation may be requested for consideration of any amendment requests. The charter school shall provide evidence of governing board approval for all proposed amendments (e.g., governing board resolution, governing board meeting minutes).

#### M. Requirements for Amendment Requests

- A. <u>Education Program Amendments</u> Significant changes in the curriculum or changes in grade levels constitute a change in educational program and shall require an amendment that is mutually acceptable and approved by both parties. Requests for such amendments shall include the following information and supporting documentation:
  - 1. Justification for change
  - 2. Effective date of the change
  - 3. Evidence that financial implications, feasibility, and student access issues have been addressed including provisions for all required resources, staff, and materials;
  - 4. Evidence of parental support
- B. A high-performing charter school that has met the requirements set forth in State law for such designation shall notify the Board of any increase in enrollment by March 1st of the school year preceding the increase. The written notice shall specify the grade levels that will be added. Student enrollment may not exceed the capacity of the facility at the time of the enrollment increase will take effect. Facility capacity for purposes of expansion shall include any improvements to an existing facility in which the students of the high-performing charter school will enroll. If a charter school notifies the District of its intent to expand, the District shall modify the charter within ninety (90) days to include the new enrollment maximum and may or may not make any other changes.
- C. The District may deny a request to increase the enrollment of a high-performing charter school if the Commissioner of Education has declassified the charter school as high-performing.
- D. If a high-performing charter school requests to consolidate multiple charters, the District shall have forty (40) days after receipt of that request to provide an initial draft charter to the charter school. The District and charter school shall have fifty (50) days thereafter to negotiate and notice the charter contract for final approval by the District.

#### **N. Location Amendments**

- A. Changes in locations or addition of location (i.e., relocation, secondary campus, satellite locations) shall include the following information and supporting documentation:
  - 1. Description of location, including identification as permanent or temporary If the relocation will be temporary, the request shall include the period of time during which the school will be at the temporary location.
  - 2. Effective date of the relocation
  - 3. Evidence that financial implications, feasibility, and student access issues have been addressed
  - 4. Evidence of parental support for the new facility
  - 5. Evidence of the school's property interest in the facility (owner or lease)
  - 6. A disclosure affidavit in accordance with F. S. 286.23, if the school leases the facility
- B. Nothing in this policy or State law obligates the Board to agree to an increase of the number of facilities, campuses and/or locations associated with a charter school's operations.
- AMERICA. The charter school shall not change or add facilities or locations at any time during the term of the charter contract without prior approval of the Board through the contract amendment process. Violation of this provision constitutes a unilateral amendment or modification of this contract and good cause for termination.

- D. If the request for a location amendment involves a facility in which other schools are operating, the names of the school(s), the grade levels, number of classrooms, number of students in each class, and the number of students enrolled in each school shall be included in the request in addition to the information and documentation described in paragraphs a and b above.
- E. No later than thirty (30) days prior to the opening of schools or the initial use of the facility by the school, the school shall have an approved contract and evidence of all necessary permits, licenses, zoning, use approval, facility certification and other approvals required for the facility by local government.
- F. A certificate of occupancy or temporary certificate of occupancy must be provided to the Board no later than fifteen (15) calendar days before the first day of school.

#### O. Enrollment Capacity Amendments

- A. Changes to enrollment capacity shall include the following information:
  - 1. Justification for change
  - 2. Effective date of the change
  - 3. Evidence of proper facility approvals and/or allowable facility capacity
  - 4. Evidence that financial implications, feasibility, and student access issues have been addressed
  - 5. Evidence of parental support
- B. A high-performing charter school that has met the requirements set forth in State law for such designation shall be required to notify the Board in writing by March 1st of its intent to increase enrollment the following school year. The written notice shall specify the amount of the enrollment increase. The District shall not require a charter school to identify the names of the students to be enrolled or to enroll those students before the start of the school year as a condition of approval or renewal of a charter.
- C. When a contract is amended or renewed, it shall be updated to comply with this policy and the current standard charter contract or standard virtual charter contract.

#### P. Controlled Open Enrollment

A. Charter schools in the District must offer controlled open enrollment and the charter shall comply with all controlled open enrollment laws F. S. 1002.31.

#### Q. Pre-Opening Requirements

- A. No later than thirty (30) days prior to the initial use of the facility by the school, the school shall have an approved contract and provide evidence of all necessary permits, licensing, zoning, use approval, facility certification, and other approvals required for the use of the facility by the local government.
- B. Failure to comply may result in automatic rescission of the contract, with no further action by the Board. A certificate of occupancy or a temporary certificate of occupancy must be provided to the Board no later than fifteen (15) calendar days before the first day of school.

#### R. School Management/Governance

A. Charter schools shall organize or be operated by not-for-profit organized pursuant to F. S. Chapter 617, a municipality, or another public entity, as provided by law.

#### S. Charter School's Governing Board Requirements

- A. The charter school's governing board shall be solely responsible for the operation of the charter school which includes, but is not limited to, school operational policies, academic accountability, and financial accountability.
- B. As required by State law, each charter school's governing board must appoint a representative to facilitate parental involvement, provide access to information, assist parents and others with questions and concerns, and resolve disputes. Furthermore, this representative must reside in the District in which the charter school is located. The individual serving as the parent involvement representative must reside in the District and may be a governing board member, charter school employee, or an individual with whom the charter school contracts to represent the board in this capacity. If the governing board oversees more than one charter school in the District, a representative to facilitate parental involvement shall be appointed for each school. The name and contact information for the representative must be provided in writing to parents of children enrolled in the charter school at least annually and must be prominently posted on the charter school's website. Governing board members are not required to reside in the District if the charter school otherwise complies with the terms of this paragraph D-23-1239-A-000733

- C. The charter school's governing board shall hold at least two (2) public meetings per school year in the District. The meetings must be noticed, open, and accessible to the public and attendees must be provided an opportunity to receive information and provide input regarding the charter school's operations. The appointed representative to facilitate parental involvement and the principal/director or equivalent must be physically present at each meeting. Members of the governing board or any member of a committee formed or designated by the governing board may attend in person or by means of communications media technology used in accordance with rules adopted by the Administration Commission under F. S. Chapter 120.
- D. Governing board members must:
  - 1. Notify the Board of any changes in membership within forty-eight (48) hours of change;
  - Successfully fulfill a background check by the Board, as specified by law upon appointment to the governing board.
  - 3. Costs of background screening shall not be borne by the charter school.
- E. Governing board members must develop and approve bylaws that govern the operations of the board and the charter school prior to the execution of the charter contract and annually consult with charter school staff to refine overall policy decision-making of the charter school as it relates to curriculum, financial management, and internal controls.
- F. Governing board members and their spouses are prohibited by state law from serving as an employee of the charter school and may not receive compensation, directly or indirectly, from the charter school's operations, including but not limited to; grant funds, lease/mortgage payments, or contracted service fees.
- G. Governing board members must participate in FLDOE sponsored charter school governance training to ensure that each board member is aware of his/her duties and responsibilities, pursuant to State Board Rule F.A.C. 6A 6.0784:
- H. Each governing board member must complete a minimum of four (4) hours of instruction focusing on government in the sunshine, conflicts of interest, ethics, and financial responsibility as specified in F. S. 1002.33(9)(k). After the initial four (4) hour training, each member is required, within subsequent three (3) years and for each three (3) year period after that to complete a two (2) hour refresher training on the four (4) topics in order to retain his/her position on the charter school board. Any member who fails to obtain the two (2) hour refresher training within any three (3) year period must take the four (4) hours of instruction again in order to remain eligible as a charter school board member.
- I. New members joining a charter school board must complete the four (4) hour training within ninety (90) days of appointment to the board.

#### T. Dispute Procedures

- A. Application, nonrenewal, and termination decisions are not subject to this dispute resolution process and must follow the procedures in F.S. 1002.33, Board policy, and the charter contract. Nothing contained herein shall operate to limit a charter school's rights to utilize the dispute resolution procedures set forth in F. S. 1002.33.
- B. The Board and the charter school agree that the existence and the details of a dispute notwithstanding, both parties shall continue without delay their performance under the charter contract, except for any performance, which may be directed affected by such dispute.
- C. Either party shall notify the other party that a dispute exists between them. The notification shall be in writing and shall identify the article and section of the contract that is in dispute and the grounds for the position that such article and section is in dispute. The matter should be immediately submitted to the Board and the charter school's director for further consideration and discussion to attempt to resolve the dispute.
- D. Should the representatives named in paragraph b above be unable to resolve the dispute within ten (10) days of receipt of written notification by one to the other of the existence of such dispute, then the matter may be submitted by either party to the Superintendent and to the school's governing board chair for further consideration and discussion to attempt to resolve the dispute.
- E. Should the parties still be unable to resolve their dispute within thirty (30) days of the date of receipt of written notification by one to the other of the existence of such dispute, then either party may proceed with utilizing the dispute resolution procedures set forth in F. S. 1002.33.

#### U. Conflict Resolution (Charter School versus Parents/Legal Guardians, Employees, and Vendors)

AMERICA. All conflicts between the charter school and the parents/legal guardians of the students enrolled at the charter school shall be handled by the charter school or its governing board. The procedures for handling such conflicts must be set forth in the charter contract.

- B. Evidence of each parent's acknowledgement of the charter school's Parent Conflict Resolution Process shall be available for review upon request by the Board.
- C. All conflicts between the charter school and the employees of the charter school shall be handled by the charter school or its governing board.
- D. All conflicts between the charter school and vendors of the charter school shall be handled by the charter school or its governing board.
- E. The Board shall be provided with the name and contact information of the parties involved in the charter school's conflict resolution process. The Board shall be notified immediately of any change in contact information.

#### V. Management Companies

- A. If a management company or combination of contracted professionals will be managing the charter school, the contract(s) between the charter school and company(ies) shall be submitted to the Board for review prior to the approval of the charter school's contract.
- B. If a decision to hire any of these entities occurs subsequent to the execution of the charter contract or amendment, the contract(s) between the charter school and company(ies) shall be submitted to the Board at least ten (10) days before any payment is made to any of the entities.
- C. Any proposed amendments to the contract with the management company shall be submitted to the Board for approval prior to execution of that amended contract with the management company by the charter school. A copy of all executed contracts must be provided to the Board within the timeframe provided by the charter contract.
- D. All management company contracts with the charter school must make it clear that the charter governing body shall retain, and exercise continuing oversight over all charter school operations and must contain provisions specifying the ability for the charter school to terminate the contract and must comply with terms as stated in the charter contract between the charter school and the Board. Any default or breach of the terms of the charter contract by the management company(ies) shall constitute a default or breach of the charter contract by the charter school.
- E. Neither employees of the management company nor relatives of the management company's employees as defined in F.S. 1002.33 shall serve on the charter school's governing board or serve as officers of the charter school.

#### W. Voluntary Closure of Charter School

- A. A charter may be terminated by a charter school's governing board through voluntary closure.
- B. The decision to cease operations must be determined at a public meeting.
- C. The governing board shall notify the parents and Board of the public meeting in writing before the public meeting.
- D. The Governing board must notify the Board, parents of enrolled students, and FLDOE in writing within twenty-four (24) hours after the public meeting of its determination.
- E. The notice shall state the charter school's intent to continue operations or the reason for the closure and acknowledge that the governing board agrees to follow the procedures for dissolution and reversion of public funds pursuant to Florida law.

#### X. Employees of Charter Schools

- A. A charter school shall employ or contract with employees who have undergone background screening as provided in F. S. 1012.32. All charter school employees must undergo such background screening at the cost of the employee or the charter school through the District security office.
- B. A charter school shall disqualify instructional personnel and school administrators, as defined in F. S. 1012.01, from employment in any position that requires direct contact with students if the personnel or administrators are ineligible for such employment under F. S. 1012.315.
- C. Charter school personnel may not appoint, employ, promote, or advance any relative, or advocate for appointment, employment, promotion, or advancement of any relative to a position in the charter school in which the personnel are serving or over which the personnel exercises jurisdiction or control. An individual may not be appointed, employed, promoted, or advanced into a position in a charter school if such appointment, employment, promotion, or advancement has been advocated by charter school personnel who serve in or exercise jurisdiction or control over the charter school and who is a relative of the individual or if such appointment, employment, promotion, or advancement is made by the governing board of which a relative of the individual is a member. For the purposes of this policy, the definition of relative shall be as it is defined in F. S. 1002.33(24)(a)(2).

- D. Full disclosure of the identity of all relatives employed by the charter school shall be in accordance with F. S. 1002.33.
- E. The governing board of a charter school shall adopt policies establishing standards of ethical conduct for instructional personnel and school administrators.
- F. The policies must require all instructional personnel and school administrators, as defined in F. S. 1012.01, to complete training on the standards of ethical conduct; establish duty of instructional personnel and school administrators to report, and procedures for reporting alleged misconduct by other instructional personnel and school administrators which affects the health, safety, or welfare of a student; and include an explanation of the liability protections provided under F. S. 39.203 and 768.95.
- G. A charter school, or any of its employees, may not enter into a confidentiality agreement regarding terminated or dismissed instructional 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 personnel or school administrators with employment references or discuss the personnel's or administrators 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 personnel or school administrators which affects the health, safety, or welfare of a student is void, is contrary to public policy, and may not be enforced.
- H. Before employing instructional personnel or school administrators in any position that requires direct contact with students, a charter school shall conduct employment history checks of each of the personnel's or administrators' previous employer(s), screen the instructional personnel or school administrators through the use of the educator screening tools described in F. S. 1001.10(5), and document the findings. If unable to contact a previous employer, the charter school must document efforts to contact the employer.
- I. The Board shall terminate a sponsor's charter if the sponsor knowingly fails to comply with F. S. 1002.33(12)(g).

#### Y. School Operations

- A. The Board may not impose any policies or practices to limit charter school enrollment except as may be permitted in accordance with State law.
- B. The Board may not impose additional reporting requirements on a charter school as long as the charter school has not been identified as having a deteriorating financial condition or financial emergency under F. S. 1002.345.
- C. The Board will document, in writing, any discrepancies or deficiencies—whether fiscal, educational, or related to school climate—and the steps and timelines for correction and additional monitoring. At a minimum, copies will be provided to the charter school's governing board chair, charter school principal, and the appropriate Board staff.
- D. The Board may require ongoing monitoring and monthly benchmarks related to statutory requirements set forth in the charter school contract related to fiscal benchmarks, educational programming, and operational and safety requirements.
- E. The charter school shall obtain the appropriate facility capacity approvals from the jurisdictional authority where the facility is located (i.e., county, municipality, or both). The Board, at its discretion, may accept a letter from the architect of record specifying the capacity if the capacity is not provided by the facility's jurisdictional authority. The Board may withhold monthly payments for FTE that exceed capacity specified by the charter contract or approved facility capacity.
- F. The charter school's calendar will be consistent with the beginning of the Board's calendar for the first school year or at a time determined by the charter school governing board.
- G. The charter school must provide instruction for at least the number of days required by law for other public schools and may provide instruction for additional days.
- H. Should the charter school elect to provide a summer program, additional school days, or year-round school, the charter school shall notify the Board, in writing, each year to ensure appropriate record keeping.

#### Z. Student Code of Conduct, Student Handbooks, Parent Contracts, and Application of Board Policies

- A. Only the Board may expel a student.
- B. The charter school may follow the Board's Student Code of Conduct, or an alternate code of conduct approved by the Board.

C. The charter school shall provide the Board with a copy of an approved alternate student code of conduct annually.

D. Any amendments must be approved by the Board prior to implementation BREVARD-23-1239-A-000736

- E. Evidence of governing board approval is required for amendments.
- F. Any student/parent and parent contracts shall also be submitted to the Board for approval prior to implementation. Any amendments must be approved by the Board, prior to implementation. Evidence of governing board approval is required for amendments.
- G. The charter school may be required to provide proof of parent/guardian's receipt of a student code of conduct, handbook, or parent contract.
- H. Violations of parent contracts shall not result in involuntary withdrawal of a student in the same year of the violations.
- I. Violations of the parent contract may result in the student not being re-enrolled or loss of enrollment preference for the following school year.
- J. The Board shall monitor adherence to the educational and related programs as specified in the approved application, charter, curriculum, instructional methods, any distinctive instructional techniques to be used, reading programs and specialized instruction for students who are reading below grade level, compliance with State standards, assessment accountability, and achievement of long- and short- term goals. An analysis comparing the charter school's standardized test scores to those of similar student populations attending other public schools in the district will also be conducted.
- K. In the event a charter school earns a D or F in the grading system set forth in State law, the director, and a representative of the governing board of the charter school shall appear before the Superintendent's designee to present information concerning each contract component having noted deficiencies and shall prepare and submit to the Board for approval a proposed School Improvement Plan to raise student achievement. The proposed School Improvement Plan must meet the requirements set forth in State law. The charter school shall implement the proposed School Improvement Plan once approved by the Superintendent's designee.
- L. If a charter school earns three (3) consecutive grades of D, two (2) consecutive grades below a C, the charter school governing board shall take corrective action as set forth in F. S. 1002.33. The corrective action must be implemented in the school year following receipt of a third consecutive grade of D, a grade of F following two (2) consecutive grades below a C.
- M. If the charter school does not improve to a C or higher after two (2) full school years of implementing the corrective action, the charter school must select and implement a different corrective action in accordance with F. S. 1002.33. If the charter school does improve to a C or higher, it is no longer required to implement the corrective action plan; however, the charter school must continue to implement strategies identified in the School Improvement Plan.
- N. Upon publication by the FLDOE of the list of charter schools that meet the criteria set forth in paragraphs L and M above, the Board shall notify, in writing, each charter school in the District that appears on the list that it is required to submit a school improvement plan and to appear before the Board.
- O. Pursuant to State Board rule, such notification shall be delivered electronically, provided there is proof of receipt. The notification shall include the following:
  - 1. The date, time, and location of the publicly noticed meeting at which the director and a representative of the charter school governing board shall appear before the Board.
- P. For purposes of this requirement, director shall mean charter school director, principal, chief executive officer, or other management personnel with similar authority. The appearance shall be no earlier than thirty (30) calendar days and no later than ninety (90) calendar days after the Board's notification is received by the charter school.
- Q. The date by which the charter school must submit its proposed School Improvement Plan to the Board for review by staff, which shall be no earlier than thirty (30) calendar days. Whether the charter school is required to select a corrective action.
- R. The Board shall notify the charter school, in writing, within ten (10) calendar days of its decision to approve or deny the School Improvement Plan.
- S. The Board may deny a School Improvement Plan if it does not meet the requirements of State law. If denied, the Board shall provide the charter school, in writing, the specific reasons for denial and the timeline for resubmission.
- T. Either the charter school or the Board may request mediation pursuant to State law if the parties cannot agree on a School Improvement Plan.
- AMERICU. As required by State law, the Board will review the School Improvement Plan annually to monitor the charter school's continued improvement.
  - V. The director and a representative of the governing board of the charter school shall appear to present information regarding the progress of intervention and support strategies implemented by

the charter school pursuant to the School Improvement Plan and if applicable, to review the corrective actions taken pursuant to 1.2.c. above.

- W. At the meeting, the Board will identify the services that the District will provide to the charter school to assist with its deficiencies and, following the meeting, these services will be communicated, in writing, to the charter school director.
- X. A charter school that improves at least one (1) letter grade is not required to submit a new School Improvement Plan but must continue to implement the strategies identified in the approved School Improvement Plan and continue to report annually to the Board. The Board shall notify, in writing, each charter school implementing a School Improvement Plan of the requirement to appear before the Board to present information regarding the progress of the approved School Improvement plan. The notification shall include the date, time, and location of the publicly noticed meeting at which the director and a representative of the charter school shall appear.
- Y. A charter school's contract shall be automatically terminated if the school earns two (2) consecutive grades of F after all school grade appeals are final, unless one of the exceptions set forth in State law is applicable. If no exceptions apply, the Board will notify the charter school's governing board, the charter school principal, and the FLDOE in writing when the charter contract is terminated under this subparagraph. The laws applicable to School Improvement Plans and corrective actions do not limit the Board's authority to terminate the charter at any time in accordance with State law.
- Z. The charter school shall make annual progress reports to the Board.

#### AA. Exceptional Student Education (ESE)

- A. The Board is the Local Educational Agency (LEA) for all Board-approved charter schools and will serve ESE students in the same manner as students attending other public schools in the District. ESE students attending Board-approved charter schools shall be provided supplementary and related services on site at the charter school to the same extent to which the Board has a policy or practice of providing such services on site to its other public schools. The Board shall provide funds under Part B of IDEA to Board-approved charter schools on the same basis as the School District provides funds to the Board's other public schools.
- B. ESE students will be educated in the least restrictive environment. The charter school shall ensure that ESE students are provided with programs and services implemented in accordance with Federal, State, and local policies and procedures and specifically the IDEA, Section 504 of the Rehabilitation Act of 1973, and other related statues and State Board of Education rules. If an IEP team determines that the charter school cannot meet the needs of an ESE student, the charter school and the Board agree to provide the ESE student with the appropriate placement as determined by the IEP team in accordance with State and Federal law.
- C. The Board shall provide ESE administration services to charter schools which shall be set forth in more detail in the charter.
- D. With respect to the provisions of special education and related services:
  - 1. The Board shall be responsible for conducting initial evaluations of students referred for potential special education in accordance with Federal and State statues.
  - 2. The charter school will deliver all educational and related services indicated on a student's Individual Education Plan (IEP), Section 504 Plan, or EP. The Board may provide related services through a separate contract between the charter school and the Board.
  - 3. The charter school Board shall be responsible for all reevaluations.
  - 4. The Board shall appoint an "ESE Staffing Specialist" shall attend who may, at the Board's discretion, attend all IEP meetings and meetings related to the provision of special education and related services to charter school students. The charter school must provide notice to the ESE Staffing Specialist of all such meetings.
  - ${\bf 5.} \ \ {\bf The \ ESE \ Staffing \ Specialist \ shall \ serve \ as \ LEA \ Representative \ at \ all \ such \ meetings$
- E. The charter shall further set forth the specific roles and responsibilities of the charter school and the Board with respect to exceptional student education.
- F. Non-compliance may result in the Board's withholding of subsequent payments to the charter school without penalty of interest (including State capital payments) and may result in non-renewal or termination for good cause.

### AB. English Language Learners (ELL)

A. Students who are of limited proficiency in English will be served by ESOL certified personnel. The charter school shall demonstrate an understanding of State and Federal requirements regarding the charter of English Language Learners (ELL), be committed to serving the full ranges of needs of ELL students, create and implement sound plans

for educating ELL students that reflect the full range of programs and services required to provide all students with a high quality education, and demonstrate capacity to meet the school's obligations under State and Federal law regarding education of ELL students.

#### AC. Financial Accountability

A. The charter school shall establish and implement accounting and reporting policies, procedures, and practices for maintaining complete records of all receipts and expenditures. The charter school shall provide a copy of these policies to the Board annually.

#### AD. Payments to Charter Schools by the Board

- A. The Board shall make timely and efficient payments and reimbursements to charter schools, including processing paperwork required to access special State and Federal funding for which they may be eligible, including the timely review and reimbursement of Federal grant funds. Payments of funds as described in F. S. 1002.33(17)(b) shall be made monthly, beginning with the start of the Board's fiscal year.
- B. Each payment shall be 1/12 or 1/24 as applicable of the total State and local funds described in F. S. 1002.33(17)(b) as adjusted. For the first two (2) years of the charter school's operation, if a minimum of seventy-five percent (75%) of the projected enrollment is entered into the Board's student information system by the first day of the current month, the Board shall distribute funds to the charter school for the months of July through October based on the full-time equivalent student membership of the charter school as submitted in the approved application.
- C. If less than seventy-five percent (75%) of the projected enrollment is entered in the Board's student information system by the first day of the current month, the Board shall base payments on the actual number of student enrollment entered into the sponsor's student information system. Thereafter, the result of full-time equivalent student membership surveys shall be used in adjusting the amount of funds distributed monthly to the charter school for the remainder of the fiscal year.
- D. The payments shall be issued no later than ten (10) working days after the Board receives a distribution of State or Federal funds or the date the payment is due pursuant to F. S. 1002.33(17)(e). With respect to Federal grant fundws submitted for reimbursement, the Board shall reimburse the charter school within sixty (60) calendar days from the date of the submission if the submission provides all the necessary information to qualify for reibursement. Timing of receipt of local funds by the Board shall not delay payment to the charter school of the funds identified in F. S. 1002.33(17)(b).
- E. If the Board has not received its allocation due to its failure to submit an approved District salary distribution plan, the Board must still provide each charter school within the District that has submitted a salary distribution plan its proportionateal share of the allocation.

#### AE. Capital Outlay Payments

A. The Board shall make payments to the school upon receipt of all required supporting documentation as referenced in section 8.h – Capital Outlay Payment Process. Charter schools must be located in the State of Florida to be eligible for public educational capital outlay (PECO) funds.

#### **AF. Miscellaneous Payments**

- A. The Board shall make timely miscellaneous payments to the charter school upon receipt of funding from the FLDOE for various programs including Title I and MAP on a reimbursement basis with proper documentation and adherence to the Board's procedures.
- B. The Board's payment is subject to the charter school's fulfillment of its responsibilities under the applicable State and Federal laws.
- C. Unless otherwise mutually agreed to by the charter school and the District, and consistent with State and Federal rules and regulations governing the use and disbursement of Federal funds, the District shall reimburse the charter school on a monthly basis for all invoices submitted by the charter school for Federal funds available to the District for the benefit of the charter school, the charter school's students, and the charter school's students as public school students in the District. Such Federal funds include, but are not limited to, Title I, Title II, and Individuals with Disabilities Education Act (IDEA) funds.
- D. To receive timely reimbursement for an invoice, the charter school must submit the invoice to the District at least thirty (30) days before the monthly date of reimbursement set by the District. In order to be reimbursed, any expenditure made by the charter school must comply with all applicable State rules and Federal regulations, including, but not limited to, the applicable Federal Office of Management and Budget Circulars, the Federal Education Department General Administrative Regulations, and program specific statues, rules and regulations. Such funds may not be made available to the charter school until a plan is submitted to the District for approval of use of the funds in accordance with applicable Federal requirements. The District has thirty (30) and the District of the District of the District of The District has the District of The Di

submitted pursuant to this paragraph.

#### **AG. Conditions for Non-Payment**

- A. The Board may withhold payment, without penalty of interest, for violation of law as specified in the charter school contractual agreement. This includes, but is not limited to:
  - 1. Failure to comply with financial requirements;
  - 2. Failure to provide proper banking wiring instructions;
  - 3. Exceeding contracted enrollment capacity; and
  - 4. Failure to submit a timely annual audit.

#### **AH. Selection Procedures**

- A. Charter schools shall use auditor selection procedures when selecting an auditor to conduct the annual financial audit pursuant to the process described in F. S. 218.39 and 218.391, which includes, but is not limited to: the establishment of an audit committee and request for proposal (RFP) for audit services, public advertisement of RFP, and development of evaluation and selection criteria.
- B. Pursuant to F. S. 218.391, the procurement of audit services shall be evidenced by a written contract embodying all provisions and conditions of the procurement of such services. An engagement letter signed and executed by both parties shall constitute a written contract. The written contract shall, at a minimum include the following:
  - 1. A provision specifying the services to be provided and fees or other compensation for such services;
  - 2. A provision requiring that invoices for fees and other compensation be submitted in sufficient detail to demonstrate compliance with the terms of the contract; and/or
  - 3. A provision specifying the contract period, including renewals, and conditions under which the contract may be terminated or renewed.
- C. Failure to comply with the timely submission of all financial statements in the required format specified by the Board, shall constitute a material breach of the charter contract and may result in the Board's withholding of subsequent payments to the charter school without penalty of interest, including State capital payments, and may result in non-renewal or termination for good cause.

#### AI. Capital Outlay Funding

- A. Pursuant to F. S. 1013.62(5), the application for, approval of, and process for documenting expenditures from charter school capital outlay funds shall be in accordance with the procedures and requirements specified by the Commissioner of Education.
- B. Before receiving capital outlay funds, the charter school governing board must enter into a written agreement with the Board. Such agreement must provide for the reversion of any unencumbered funds and all equipment and property purchased with public education funds to the ownership of the Board as provided for in F. S. 1013.62(4) in cases when the charter school terminates operations. Any funds recovered by the State shall be deposited in the General Revenue Fund.
- C. As required by State law, the Board shall remit capital outlay funds to a charter school no later than February 1st, as required by F. S. 1002.32(3)(e), based on the amount of funds received by the Board.

#### AJ. Review and Audit

A. The Board has the right at any time to review and audit all financial records of the charter school to ensure fiscal accountability and sound financial management pursuant to F. S. 1002.33. The charter school shall provide the Board with a copy of the management letter from any audits as well as any responses to the auditor's findings with a corrective plan that shall be prepared and submitted within thirty (30) days from the date of the management letter.

#### AK. Deteriorating Financial Condition and Financial Emergencies F. S. 1002.

A. Deteriorating Financial Condition. "Deteriorating financial condition" means a circumstance that significantly impairs the ability of a charter school or charter technical career center to generate enough revenues to meet its expenditures without causing the occurrence of a condition described in F. S. 218.503(1).

B. A charter school shall be subject to an expedited review by the Board upon the occurrence of any conditions specified in F.S. 1002.345(1)(a)(1)-(4).

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- C. The Board shall notify the governing board within seven (7) business days after one or more of the conditions set forth in F.S. 1002.345(1)(a)(1)-(4) are identified to occur.
- D. The governing board and the Board shall develop a corrective action plan and file the plan with the Commissioner of Education within thirty (30) business days after notification is received as provided in paragraph 9(b)(1)(b) herein. If the governing board and the Board are unable to agree on a corrective action plan, the Commissioner of Education shall determine the components of the plan. The governing board shall implement such plan.
- E. Failure to implement the corrective action plan within one (1) year shall result in additional action prescribed by the State Board of Education, including the appearance of the chair of the governing board before the State Board of Education.
- F. Financial Emergency. If a financial audit conducted by a CPA in accordance with F. S. 218.39 reveals that one (1) or more conditions in F.S. 218.503(1) have occurred or will occur if action is not taken to assist the charter school, the auditor shall notify the governing board of the charter school, as appropriate, the Board, and the Commissioner of Education within seven (7) business days after the finding is made.
- G. If the charter school is found to be in a state of financial emergency pursuant to F.S. 218.503(4), the charter school shall file a recovery plan pursuant to F.S. 218.503 with the Board and the Commissioner of Education within thirty (30) days after being notified by the Commissioner of Education after being notified that a financial recovery plan is needed.
- H. Annual progress of the corrective action plans and/or financial recovery plans shall be included in an annual progress report to the Board.
- I. The Board may require periodic appearances of governing board members and charter school representative.
- J. A <u>fiscal review committee</u> Financial Recovery Plan Staff Group (FRSG) shall be appointed by the <u>Superintendent/and or designee</u> Board and convened to review and monitor financial statements, corrective action plans, and financial recovery plans submitted by the charter schools. The <u>committee</u> FRSG shall report progress and when applicable, make recommendations to the Chief Auditor. At least one (1) representative of the charter school must be available to answer questions.
- K. The committeeFRSG shall be comprised of staff members from Financial Operations, Charter School Director, and when appropriate, District Operations.
- L. The committeeChief Auditor will present the FRSG's recommendation to the Board's independent Audit Committee for review and recommendation to the Board. may prepare a recommendation to the Board for review.
- M. Inability to cure a deteriorating financial condition and/or status of financial emergency may result in termination of the charter school contract.

#### AL. Grants

- A. If the Board is required to be the fiscal agent for a grant, the charter school shall comply with the Board's grant procedures as indicated in the charter contract.
- B. The Board shall receive written approval from the charter school to include the charter school in a District wide grant. The appropriate pro-rata share of grants will be allocated to the charter school as defined by the grant awarded.
- C. The charter school is required to maintain adequate records to support grant-funded programs for the minimum years prescribed by the law. The Board may review these records, upon reasonable notice.

#### AM. Health, Safety, and Welfare of Staff and Students

- A. Carefully planned and executed fire drills shall be conducted at the beginning of each semester, at times designated by the principal, following instruction of all classes regarding exits to be used in case of fire. At least one (1) fire exit drill shall be conducted every month that school is in session. Any emergency evacuation drill (e.g., crisis event), completely performed, may be substituted for a required fire exit drill in a month. All drills and deficiencies affecting egress shall be documented in writing.
- B. The charter school principal is responsible for ensuring that all drills are documented with the District by the end of each month.
- The charter school principal is responsible for ensuring that active assailant drills are conducted per statute and are documented with the District by the end of each month that they are conducted.
  - D. Inspections of all buildings including educational facilities, ancillary plants, and sanitation shall be conducted at least once during each fiscal year. Conditions that may affect environmental

health and safety or impair operation of the plant will be reported, with recommendations for corrective action.

- E. Each school cafeteria must post in a visible location and on the school's semiannual sanitation certificate and a copy of its most recent sanitation report.
- F. Under the direction of the fire official appointed by the Board, fire-safety inspections of each educational and ancillary plant located on property owned or leased by the charter school's governing board, or other educational facilities operated by the charter school's governing board, shall be made no sooner than one (1) year after issuance of a certificate of occupancy and annually thereafter. Such inspections shall be made by persons properly certified by the Division of State Fire Marshal to conduct fire safety inspections in the public educational and ancillary plants
- G. A copy of the fire safety inspection shall be submitted to the board and the county, municipality, or independent special fire control district providing fire protection services to the school facility ten (10) business days after the date of the inspection, in accordance with Florida statue.
- H. Alternate schedules for delivery of reports may be agreed upon between the charter school's governing board, the Board, and the county, municipality, or independent special fire control district providing fire protection services to the site in cases in which delivery is impossible due to hurricanes or other natural disasters. Regardless, if immediate life threatening deficiencies are noted in the report, the report shall be delivered to the Board and to the county, municipality, or independent special fire control district providing fire protection services immediately.

#### **AN. Charter School Website**

- A. Each charter school shall maintain a website that enables the public to obtain information regarding the school; the school's academic performance; the names of the governing board members; the programs at the school; any management companies, service providers, or education management corporations associated with the school; the school's annual budget and its annual independent fiscal audit; the school's grade pursuant to F.S. 1008.34; and on a quarterly basis, the minutes of governing board meetings.
- B. Each charter school shall maintain a list of capacity by grade level every twelve (12) weeks on their website per F.S. 1002.3.

#### AO. Resolution of Student Health, Safety, or Welfare Complaints

- A. In the event a parent of a student in a District charter school isunable to resolve a student health, safety, or welfare complaint under F.S. 1001.42(8)(c) with the charter school's principal or designee, the following procedures shall be utilized to resolve the dispute:
- B. The District's Charter School Director will obtain a copy of the parent's complaint from the charter school and all supporting documentation.
- C. The District's Charter School Director will communicate with the parent and charter school principal or designee within twenty-one (21) days of obtaining the information in paragraph 1 in an attempt to resolve the complaint. The District's Charter School Director may also choose to meet collectively with the parent or charter school principal or designee.
- D. If the parent's complaint is not resolved after the communications identified in paragraph 2, and no later than thirty (30) days from receipt of the parent's complaint, the District will provide the parent with a notice containing a written statement(s) of the reason(s) for not resolving the complaint.

#### **Board Annual Report Submission**

- A. The Board shall submit an annual report to the FLDOE in a web-based format to be determined by the FLDOE. The report shall include the following:
  - 1. Number of applications received during the school year and up to August 1 st and each applicant's contact information;
  - 2. Date each application was approved, denied, or withdrawn; and
  - 3. Date each final contract was executed.

Each year, by November 1, the Board shall submit to the FLDOE the information set forth for the previous year.

#### XLII. Facilities

A No later than January 1st the FLDOE shall annually provide to the District a list of all underused, vacant, or surplus facilities owned or operated by the District as reports in the Florida Inventory of School Houses.

B. The District may provide evidence to the FLDOE that the list contains arrors of the list. By each April 1st, FLDOE shall publish a final list of all underused, vacant, or surplus facilities owned

or operated by the District, based upon updated information provided by the District.

C. A hope operator establishing a school of hope may use an educational facility identified in this section as prescribed in F. S. 1002.33(7)(d).

#### **XLIII. Nonexclusive Interlocal Agreements**

A. The Board may enter into nonexclusive interlocal agreements with Federal and State agencies, counties, municipalities, and other governmental entities that operate within the geographical borders of the District to act on behalf of such governmental entities in the inspection, issuance, and other necessary activities for all necessary permits, licenses, and other permission that a charter school needs in order for development, construction, or operation. A charter school may use, but may not be required to use, the District for these services. The interlocal agreement must include, but need not be limited to, the identification of fees that charter schools will be charged for such services. The fees must consist of the governmental entity's fees plus a fee for the Board to recover no more than actual costs for providing such services. These services and fees are not included within the services to be provided pursuant to F.S. 1002.33(20). Notwithstanding any other provision of law, an interlocal agreement, or ordinance that imposes a greater regulatory burden on charter schools than on the District or that prohibits or limits the creation of a charter school is void and unenforceable. An interlocal agreement entered into by the District by the development of only its own District schools, including provisions relating to the extension of infrastructure, may be used by charter schools.

#### XLIV. Services

The Board will provide certain administrative and educational services to charter schools. These services shall include contract management services; full-time equivalent and data reporting services, exceptional student education administration services; services related to eligibility and reporting duties required to ensure that school lunch services under the National School Lunch Program, consistent with the needs of the charter school, are provided by the Board at the request of the charter school, that any funds due to the charter school under the National School Lunch Program be paid to the charter school as soon as the charter school begins serving food under the National School Lunch Program and that the charter school is paid at the same time and in the same manner under the National School Lunch Program as other public schools serviced by the Board; test administration services, including payment of the costs of State-required or Board-required student assessments; processing of teacher certificate data services; and information services, including equal access to the sponsor's student information systems that are used by public schools in the District. Student performance data for each student in a charter school, including, but not limited to, State-mandated testing scores, standardized test scores, previous public school student report cards, and student performance measures, shall be provided by the Board to a charter school in the same manner provided to other public schools in the District.

The District will provide training to charter schools on systems the District requires charter schools to use.

- A. The Board may withhold an administrative fee for the provision of such services which shall be a percentage of the available funds defined in F.S. 1002.33(17)(b) calculated based on weighted full-time equivalent students.
- B. If the charter school services seventy-five percent (75%) or more exceptional education students as defined in F.S. 1003.01(3), the percentage shall be calculated based on unweighted full-time equivalent students.
- C. The administrative fee shall be calculated as follows:
  - 1. Up to five percent (5%) for the following:
    - a. enrollment of up to and including 250 students in a charter school as defined in F.S. 1002.33(20);
    - b. enrollment of up to and including 500 students within a charter school system which meets all of the following:
      - i. includes conversion charter schools and nonconversion charter schools; has all of its schools located in the same county;
      - ii. has a total enrollment exceeding the total enrollment of at least one school district in Florida; has the same governing board for all of its schools; or
      - iii. does not contract with a for-profit service provider for management of school operations;
      - iv. enrollment of up to and including 250 students in a virtual charter school; and,
  - 2. Up to two percent (2%) for enrollment of up to and including 250 students in an exceptional student education center that meets the requirements of the rules adopted by the State Board of Education pursuant to F.S. 1008.3415(3).
- 3. Up to two percent (2%) for enrollment of up to and including 250 students in a high-performing charter school as defined in F.S. 1002.331.
  - D. The Board shall provide the FLDOE by no later than September 15th of each year that total amount of funding withheld from charter schools pursuant to this policy and Florida law for the prior fiscal year.

- E. By September 15th of each year, the Board shall provide a report to charter schools it sponsors and the FLDOE on what services are being rendered from the District's portion of the administrative fee, including a list of the servies.
- F. If goods and services are made available to the charter school through the contract with the Board, they shall be provided to the charter school at a rate no greater than the Board's actual cost unless mutually agreed upon by the charter school and the Board in a contract negotiated separately from the charter.
- G. When mediation has failed to resolve disputes over contracted services or contractual matters not included in the charter, an appeal may be made to an administrative law judge appointed by the Division of Administrative Hearings. The administrative law judge has final order authority to rule on the dispute. The administrative law judge shall award the prevailing party reasonable attorney fees and costs incurred during the mediation process, administrative proceeding, and any appeals to be paid by the party whom the administrative law judge rules against. To maximize the use of State funds, the Board shall allow charter schools to participate in the sponsor's bulk purchasing program if applicable.
- H. The governing body of the charter school may provide transportation through an agreement or contract with the Board. The charter school and the Board shall cooperate in making arrangements that ensure that transportation is not a barrier to equal access for all students residing within a reasonable distance of the charter school as determined in its charter.

#### I. School Safety Requirements

- A. Each charter school in the District must comply with the requirements of F.A.C. 6A-1.0018 and Florida law pertaining to school safety, including the requirement that charter schools coordinate with the District's School Safety Specialist. See also, Board Policy 8405 (School Safety and Security) and Policy 8407 (Safe-School Officers).
- B. Failure to comply with F.A.C. 6A-1.0018 may result in reporting to the FLDOE and the implementation of continued assurances and remediation plan.

Revised 2/22/05 Revised 11/06 Revised 4/28/09 Revised 4/27/10 Revised 10/28/14 Revised 7/14/20 Revised 3/7/23

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Revised 12/6/23

Legal	F.S. 39.203

F.S. Chapter 120

F.S. 218.39

F.S. 218.391

F.S. 218.503

F.S. 286.23

F.S. 768.095

F.S. 1001.10

F.S. 1001.41

F.S. 1002.31

F.S. 1002.33

F.S. 1002.3301

F.S. 1002.345

F.S. 1008.31

F.S. 1008.34

F.S. 1011.60

F.S. 1012.01

F.S. 1012.315

F.S. 1012.32

F.S. 1013.12



F.A.C. 6A-1.0081

F.A.C. 6A-1.099827

F.A.C. 6A-2.0020

F.A.C. 6A-6.0781

F.A.C. 6A-6.0784

F.A.C. 6A-6.0786

F.A.C. 6A-6.07862

F.A.C. 6A-6.0787

Last Modified by Paul Gibbs on December 20, 2023



Companion Bill:

CS/CS/CS/SB 588 (Rodriguez)

Final Legislative Analysis

Just an FYI

**Athletics** 

CS/SB 190 (Ch. 23-113)

Interscholastic Extracurricular Activities

By:

**Senator Grall** 

**Effective Date:** 

July 1, 2023

Approved by Governor:

May 24, 2023

What Does the Bill Do? This new law will allow charter school and full-time Florida Virtual School (FLVS) students to enter into an agreement with a private school to participate in extracurricular activities at that school. As with a charter student's ability to participate at a district school, this only applies if the charter school does not offer the activity itself. These provisions and much more area also enacted in HB 225, which is discussed below.

Who Is Responsible for or Affected by the Bill? This new attending charter schools or FLVS.

This new law only affects students

<u>How Will the Bill Be Implemented?</u> If a private school is willing to enter into such an agreement, it will be up to the parents of charter and FLVS students to work out an agreement with the school.

Required Rulemaking?

N/A.

Required Reports?

N/A.

Required Training?

N/A.

<u>Does the Bill Apply to Charter Schools?</u> Yes. Charter school students will now be able to enter into an agreement with a private school to participate in extracurricular activities.

What Problems or Concerns May Arise as a Result of this New Bill? While this may allow a private school a competitive advantage if it chooses to allow charter or FLVS students to play for the school, it should not cause any operational issues for school districts.

Creates:

N/A.

Amends:

Sections 1002.20, 1002.33, and 1006.15, Florida Statutes.

Companion Bill:

CS/HB 259 (Brackett)

Final Legislative Analysis



2262	School Age Child Care	Reviewed/No	COS
		Revisions	
2330	Homework	Reviewed/No	COS
		Revisions	
2446	Student Privacy And	Reviewed/No	
2416	Parental Access To	Revisions	
	Information	Deviewed/No	
2431	Interscholastic Athletics	Reviewed/No Revisions	COS
	Concussion And Head	Reviewed/No	
2431.03	Injuries	Revisions	COS
	· ·	Reviewed/No	
2432	Driver Education	Revisions	COS
		Reviewed/No	
2531	Copyrighted Works	Revisions	COS
0-10	A 1: NO 111	Reviewed/No	
2540	Audio Visual Use	Revisions	COS
2605	December And Fredricks	Reviewed/No	cos
2005	Research And Evaluation	Revisions	
	<b>Educational Services For</b>		
2800	Students In Department	Reviewed/No	cos
	of Juvenile Justice	Revisions	000
	Education Programs		
3430.02	Domestic Violence Leave	Reviewed/No	
	Ci. de al December Theory	Revisions	
5440	Student Progress Through	Reviewed/No	
	Mastery Learning  Anti-Harassment;	Revisions	
	Compliance Officers;	Reviewed/No Revisions	
5517	Complaint And	VEAISIOUS	
	Investigation Procedures		
	Participation In Extra-	Reviewed/No	
5610.05	Curricular Activities	Revisions	COS
	School-Sponsored		
5722	Publications And	Reviewed/No	cos
	Productions	Revisions	
<b>5730</b> RI(	Capital Access For	Reviewed/No	COS

	Student Clubs Or Activities		
5830	Student Fund-Raising	Reviewed/No Revisions	cos
5840	Student Groups	Reviewed/No Revisions	cos
5845	Student Activities	Reviewed/No Revisions	cos
5850	School Social Events	Reviewed/No Revisions	cos
5880	Public Performances By Students	Reviewed/No Revisions	
5895	Student Employment	Reviewed/No Revisions	
6105	FACSIMILE SIGNATURE	Reviewed/No Revisions	FINANCE
6140	Public Depository	Reviewed/No Revisions	FINANCE
6144	Investments	Reviewed/No Revisions	FINANCE
6510	Payroll Authorization	Reviewed/No Revisions	FINANCE
6520	Payroll Deductions	Reviewed/No Revisions	FINANCE
6521	Tax Sheltered Annuity Plans And Accounts	Reviewed/No Revisions	FINANCE
6605	Crowdfunding	Reviewed/No Revisions	FINANCE
7110	Student Acomodation	Reviewed/No Revisions	
7130	Implementation And Management Of School Concurrency	Reviewed/No Revisions	
7240	Site Acquisition	Reviewed/No Revisions	
47420 RI	Sanitation And Housekeeping	Reviewed/No Revisions	

7540.07	Network Change	Reviewed/No	
/540.0/	Management Policy	Revisions	
8400	Environmental Health	Reviewed/No	
8400	And Safety Issues	Revisions	
8406	Reports Of Suspicious	Reviewed/No	
	Activity And Potential	Revisions	
	Threats To Schools,		
	Facilities, Students, And		
	Employees		
8407	Safe-School Officers	Reviewed/No	
		Revisions	
8410.01	Critical Incident Response	Reviewed/No	
0-10.01		Revisions	
	Criminal Background And	Reviewed/No	
8475	Employment Non-District	Revisions	
	Personnel		
8500	Food Services	Reviewed/No	
		Revisions	
	School Bus Driver	Reviewed/No	
8604	Working Hours Safety	Revisions	
	Procedures		
	Transportation For Field	Reviewed/No	
8640	And Other District	Revisions	
	Sponsored Trips		

6234	USE OF DISCRETIONARY	NOT	We don't receive lottery funds.	FINANCE
NEOLA Only	LOTTERY FUNDS	ADOPTING	we don't receive lottery lunds.	FINANCE
830 NEOLA Only	CONTINUITY OF ORGANIZATIONAL OPERATIONS PLAN	NOT ADOPTING	Not currently adopting until existing BPS Continuity of Operations Plan (COOP) is updated with organizational changes, finalized, and implemented per NEOLA recommendation.	Operations
8645	USE OF SCHOOL BUSES	NOT ADOPTING	Not adopting as it allows people to rent our vehicles but to do so we would need to remove all BPS identification.	Operations

