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| Book | Policy Project Revised |
| Section | 2000 Programs Cleaned |
| Title | MISSION AND VISION OF THE DISTRICT |
| Code | po2105 |
| Status | From Neola |
| Legal | <u>F.S. 1000.03</u> <u>F.S. 1001.41</u> |

2105 - **MISSION AND VISION OF THE DISTRICT**

The mission of the School District is to work collaboratively with all stakeholders to provide a public education experience that is motivating, challenging and rewarding for all children. We will increase student achievement by providing students with learning opportunities that are rigorous, relevant and transcend beyond the boundaries of the school walls. We will ensure a working and learning environment built upon honesty, integrity, and respect. Through these values, we will maximize student potential and promote individual responsibility.

The vision of the School District exists to prepare lifelong learners for success in a global and competitive workplace and in acquiring applicable life skills.

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Title SCHOOL IMPROVEMENT
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F.S. 1003.02
F.S. 1008.345
F.S. 1012.98
F.A.C. 6A-6.053, District Comprehensive Evidence-Based Reading Plan
F.A.C. 6A-6.0533, Determining a Substantial Math Deficiency.

2120 - **SCHOOL IMPROVEMENT**

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

The Superintendent shall establish administrative procedures for school improvement plans.

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

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

The Carl Perkins Vocational and Applied Technology Education Act

The General Education Provisions Act

Parts of Education Department General Administrative Regulations

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

Early Warning System

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

- A. Attendance below ninety percent (90%) regardless of whether the absence is excused or a result of an out-of-school suspension.
- B. One (1) or more suspensions whether in school or out of school.
- C. Course failure in English Language Arts or mathematics during any grading period.
- D. A Level 1 score on the Statewide standardized assessments in English Language Arts or mathematics.
- E. For students in kindergarten through grade 3, a substantial deficiency in reading under F.S. 1008.25 and F.A.C. 6A-6.053 or, for students in kindergarten through grade 4, a substantial deficiency in mathematics under F.S. 1008.25 and F.A.C. 6A-6.0533.

Voluntary Pre-Kindergarten ("VPK") Students with a Substantial Deficiency in Early Literacy Skills

A VPK student is identified as having a substantial deficiency in early literacy skills if the student scores below the 10th percentile or is unable to complete the practice items at the middle or end of the year test administration of the coordinated screening and progress monitoring system pursuant to F.S. 1008.25. Immediately following identification, public VPK students with a substantial deficiency in early literacy skills must be provided interventions in early literacy skills that are intensive, explicit, systematic, and multisensory in accordance with F.S. 1008.25.



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F.S. 1001.452

2125 - SCHOOL ADVISORY COUNCILS FOR SCHOOL IMPROVEMENT AND ACCOUNTABILITY

A school advisory council shall be established at each school in the District and include in its name the words "school advisory council". Each school advisory council shall be the sole body responsible for final decision-making at the school relating to the implementation of applicable provisions of F.S. 1001.42 and 1008.345.

Each advisory council shall perform functions prescribed by the School Board; however, no advisory council shall have any of the powers and duties now reserved by law to the Board. Each school advisory council shall assist in the preparation and evaluation of the school improvement plan and, with technical assistance from the Florida Department of Education (FLDOE), shall assist in the preparation of the school's annual budget and plan.

Council members may attend meetings in person or through the use of telecommunication networks such as telephonic and video conferencing.

Composition and Membership

The composition and membership of each advisory council shall:

- A. 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;
- B. high school advisory councils shall include students, and middle and junior high school advisory councils may include students;
- C. school advisory councils of adult education centers are not required to include parents as members;
- D. a majority of members of each council must not be employed by the District;
- E. council members representing teachers, education support employees, students and parents shall be elected by their respective peer groups at the school in a fair and equitable manner;
- F. business and other community members shall be selected by the school according to the written procedures for the school advisory councils for school improvement and accountability. Such procedures must include means of ensuring wide notice of vacancies and of taking input on possible members from local business, chambers of commerce, community and civic organizations and groups, and the public at large.

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 State Board of Education rules.

Election of Members

Written procedures for 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.

Bylaws

Each school advisory council shall adopt bylaws establishing procedures for:

- A. requiring a quorum to be present before a vote may be taken by the school advisory council;
A majority of the membership of the council constitutes a quorum.
- B. requiring at least three (3) days' advance notice in writing to all members of the advisory council of any matter that is schedule to come before the council for a vote;
- C. scheduling meetings when parents, students, teachers, business persons, and members fo the community can attend;
- D. replacing any member who has two (2) unexcused consecutive absences from a school advisory council meeting that is noticed according to the procedures in the bylaws; and,
- E. recording minutes of meetings.

The Board may review all proposed bylaws of a school advisory council and shall maintain a record of minutes of council meetings.

School Improvement Plans

A. School Improvement Plans Approval Process

1. 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 is 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 a 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.

Florida's Sunshine Law

Pursuant to F.S. Chapter 286, advisory council meetings shall be publicly noticed and conducted in public as required under Bylaw 0165 - *School Board Meetings*.

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F.S. 1003.4201
F.S. 1008.22
F.S. 1008.34
F.S. 1011.62
Chapter I of Education Consolidation and Improvement Act of 1981
P.L. 97-35
F.A.C. 6A-6.053

2210 - CURRICULUM DEVELOPMENT

The School 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 the 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.

For purposes of this policy and consistent communication throughout the District, the 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, necessary to accomplish the educational goals of the District.

The Board directs that the curriculum of this District provide instruction in courses required by statute and State Department of Education regulations.

The Superintendent shall make progress reports to the Board periodically.

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 in accordance with F.S. 1003.4201 and F.A.C. 6A-6.053.

The District's Comprehensive Evidence-Based Reading Plan (CERP) will include all District schools, including charter schools, unless a charter school elects to submit a plan independently from the District. The CERP shall also describe how the District prioritizes the 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 CERP, and any approved CERPs for each charter school sponsored by the District, will be submitted as required to the Florida Department of Education and Just Read, Florida! by August 1st.

The District will annually evaluate the implementation of its CERP on the State-approved form after conducting a root-cause analysis of student performance data to evaluate the effectiveness of interventions. The State-approved form shall be submitted as required by the Florida Department of Education to Just Read, Florida! by June 15th of each year.

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F.S. 1003.44
F.S. 1003.48
F.S. 1007.2616
F.A.C. 6A-1.094124

2215 - PROGRAM OF INSTRUCTION

The School Board's program of instruction shall provide all courses required for middle grades promotion, high school graduation, and appropriate instruction designed to ensure that students meet State Board of Education adopted standards in the following subject areas: reading and other language arts, mathematics, science, computer science and technology, social studies, foreign languages, health and physical education, and the arts.

Development of Program of Instruction

A program of instruction shall be developed and implemented by the Superintendent as follows:

A. Elementary School

The primary purpose of the elementary school shall be to serve each individual student by promoting opportunities for optimum learning development. The program of instruction in the elementary school shall promote the language arts, mathematics, social studies (History, Civics, Geography, Economics), science, health and physical education, music, art, and other disciplines as shall be considered necessary to a well-rounded elementary school program. A procedure shall be established by which schools may recommend for approval courses or programs to meet the unique needs of students. Provision shall be made for the inculcation of ideals of group and individual behavior; to this end, organized play, intramural sports and games, hobby groups, and other organized student activities shall be fostered.

B. Middle School

The primary purpose of the middle school shall be to promote an expanded educational experience to meet the needs of the students. The District shall determine the specific offerings. An approval process shall be established by which schools may recommend courses or programs to meet the unique needs of students. Activities which offer desirable experience, such as band (or music), dance, visual arts, drama, creative writing, athletics, and student government, etc., shall be promoted.

C. Senior High School

The primary purpose of the senior high school shall be to promote a wide array of educational needs. Courses shall be offered at a level which will challenge students to perform to their capacity. The District-wide studies adopted by the Board shall determine the specific offerings. Student government, publications, drama, music, visual arts, a broad program of athletics, and social activities, etc., shall be promoted for the development of well-rounded citizens.

D. Instruction in Sexual Orientation/Gender Identity

Classroom instruction by school personnel or third parties on sexual orientation or gender identity may not occur in prekindergarten through grade 12, except when required by F.S. 1003.42 and F.S. 1003.46.

Required Instruction

The District shall submit a Required Instruction Implementation Plan to the Commissioner of the Florida Department of Education. The plan will include, at a minimum, the following:

- A. the methods in which instruction will be delivered for each grade level;
- B. the professional qualifications of the District's instructional personnel; and,
- C. a description of the District's instructional materials.

The implementation plan will also be posted on the District's website.

Instructional staff members, subject to Board policy and State Board of Education rules, shall teach efficiently and faithfully, using the books and materials required that meet the highest standards for professionalism and historic accuracy, following the prescribed courses of study, and employing approved methods of instruction, the topics and subject matter set forth in F.S. 1003.42 and F.A.C. 6A-1.094124.

Resiliency Education Required Instruction

Civic and character education (see F.A.C. Rule 6A-1.094124), and life skills education that builds confidence and supports mental health, are combined to develop and prepare more resilient students. The District will provide annually 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 F.A.C. Rule 6A-1.09401, the instruction will advance each year through developmentally appropriate instruction and skill building and will address, at a minimum the following topics:

- A. Strategies specific to demonstrating resiliency through adversity, including the benefits of service to the community through volunteerism.
- B. Strategies to develop health characteristics that reinforce positive core values and foster resiliency, such as:
 - 1. empathy, perseverance, grit, gratitude, and responsibility;
 - 2. critical thinking, problem solving, and responsible decision-making;
 - 3. self-awareness and self-management;
 - 4. mentorship and citizenship; and
 - 5. honesty.
- C. Recognition of signs and symptoms of mental health concerns.
- D. 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.
- E. Strategies to support a peer, friends, or family member through adversity.
- F. Prevention of suicide.

G. Prevention of the abuse of and addiction to alcohol, nicotine, and drugs.

H. Awareness of local school and community resources and the process for accessing assistance.

Instruction in Operation of Motor Vehicles

See Board Policy 2432.

Computer Science and Technology Instruction

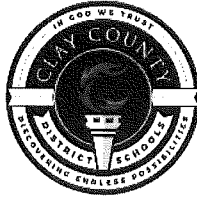
"Computer science" is the study of computers and algorithmic process, including their principles, hardware, and software designs, applications, and their impact on society, and includes computer coding and computer programming.

The Board shall provide students in grades K-12 opportunities for learning computer science including, but not limited to, computer coding and computer programming. Computer science courses offered in middle and high schools shall include the opportunity to earn industry certifications, when possible.

Exemptions from Certain Instruction

Any student whose parent makes a written request to the Principal shall be exempted from the teaching of reproductive health or any disease, including HIV/AIDS, its symptoms, development, and treatment. A student so exempted will not be penalized by reason of that exemption.

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2220 - **ADOPTION OF COURSES OF STUDY**

The School Board shall provide a comprehensive instructional program to serve the educational needs of the students of this District. In furtherance of this goal and pursuant to law, courses of study should be adopted.

The Superintendent shall recommend courses of study as are deemed to be in the best interests of the students.

Each course of study is intended to provide a basic framework for instruction and learning. Within this framework, each teacher shall use the course of study in a manner best designed to meet the needs of the students for whom s/he is responsible. Deviation from its content must be approved in accordance with the Superintendent's administrative procedures.

The Superintendent shall maintain a current list of all courses of study offered by this District.

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| Title | NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY |
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| Status | |
| Legal | <u>F.S. 553.501 et seq., Florida Americans with Disabilities Accessibility Implementation Act</u> <u>F.S. 760.021</u> <u>F.S. 760.08</u> <u>F.S. 1000.05, Florida Educational Equity Act</u> <u>F.A.C. 6A-19.001</u> <u>Fourteenth Amendment, U.S. Constitution</u> <u>20 U.S.C. Section 1681, Title IX of Education Amendment Act</u> <u>20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974</u> <u>20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act</u> <u>42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act</u> <u>29 U.S.C. Section 794, Rehabilitation Act of 1973, as amended</u> <u>42 U.S.C. Section 2000 et seq., Civil Rights Act of 1964</u> <u>42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended</u> <u>42 U.S.C. 6101 et seq., Age Discrimination Act of 1975</u> <u>34 C.F.R. Part 110 (7/27/93).</u> <u>29 C.F.R. Part 1635</u> <u>Vocational Education Program Guidelines for Eliminating Discrimination and Denial of Services, Department of Education, Office of Civil Rights, March 1979</u> |

2260 - NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY

I. General Statement

Any form of discrimination or harassment can be devastating to an individual's academic progress, social relationship and/or personal sense of self-worth. As such, the School Board will not discriminate nor tolerate harassment in its educational programs or activities on the basis of race , ethnicity, color, national origin, sex , disability , 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 .

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:

- A. Members of one (1) race, color, national origin, or sex are morally superior to members of another race, color, national origin, or sex.
- B. A person, by virtue of his/her race, color, national origin, or sex is inherently racist, sexist, or oppressive, whether consciously or unconsciously.
- C. A person's moral character or status as either privileged or oppressed is necessarily determined by his/her race, color, national origin, or sex.
- D. 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.
- E. 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.
- F. 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.
- G. 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.
- H. 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 to oppress members of another race, color, national origin, or sex.

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 training or instruction is given in an objective manner without endorsement of the concepts.

The Board also does not discriminate on the basis of protected classes in its employment policies and practices as they relate to students.

Equal educational opportunities shall be available to all students, without regard to the protected classes, age (unless age is a factor necessary to the normal operation or the achievement of any legitimate objective of the program/activity), place of residence within the boundaries of the District, or social or economic background, to learn through the curriculum offered in this District. Educational programs shall be designed to meet the varying needs of all students.

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.

In order to achieve the aforesaid goal, the Superintendent shall:

A. Curriculum Content

review current and proposed courses of study and textbooks to detect any bias based upon the protected classes; ascertaining whether or not supplemental materials, singly or taken as a whole, fairly depict the contribution of both genders, various races, ethnic groups, etc., toward the development of human society;

B. Staff Training

develop an ongoing program of in-service training for school personnel designed to identify and solve problems of bias based upon the protected classes in all aspects of the program;

C. Student Access

1. review current and proposed programs, activities, facilities, and practices to verify that all students have equal access thereto and are not segregated on the basis of the protected classes in any duty, work, play, classroom, or school practice, except as may be permitted under State and Federal laws

and regulations;

2. verify that facilities are made available for non-curricular student activities that are initiated by parents or other members of the community, including but not limited to any group that is officially affiliated with the Boy Scouts of America or any other youth group listed in Title 36 of the United States Code as a patriotic society, pursuant to Board Policy 7510 - *Use of District Facilities*;

D. District Support

verify that like aspects of the District's program receive like support as to staff size and compensation, purchase and maintenance of facilities and equipment, access to such facilities and equipment, and related matters;

E. Student Assessment

verify that tests, procedures, or guidance and counseling materials, which are designed to evaluate student progress, rate aptitudes, analyze personality, or in any manner establish or tend to establish a category by which a student may be judged, are not differentiated or stereotyped on the basis of the protected classes.

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).

III. **District Compliance Officer(s)**

A. Section 504 Compliance Officer/ADA Coordinator

The Board designates the following individuals to serve as the District's Section 504 Compliance Officer/ADA Coordinator.

Director of Exceptional Student Education
904-336-6500

B. Title IX Coordinator

The Board designates the following individuals to serve as the District's Title IX Coordinator.

Chief of Secondary Education
904-336-6500

C. Publication

The name(s), title(s), and contact information of this/these individual(s) will be published annually in the staff handbooks, on the School District's website, and/or on each individual school's website.

D. Duties and Responsibilities

The CO(s), Section 504 Compliance Officer/ADA Coordinator(s), and Title IX Coordinator(s) are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination or denial of equal access. The CO(s) shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and 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 (as amended), the Age Discrimination Act of 1975, the Florida Civil Rights Act of 1992, the Florida Educational Equity Act, and/or their implementing regulations is provided to students, their parents, staff members, and the general public. A copy of each of the acts and regulations on which this notice is based may be found in the CO's office.

E. Students with Disabilities, Limited English Proficiency, or Other Needing Additional Services

The Superintendent shall annually attempt to identify children with disabilities, ages 3-22, who reside in the District but do not receive a public education. In addition, s/he shall establish procedures to identify students who are Limited English Proficient (LEP), including immigrant children and youth, to assess their ability to participate in District programs, and develop and administer a program that meets the English language and academic needs of these students. This program shall include procedures for student placement, services, evaluation, and exit procedures and shall be designed to provide students with effective instruction that leads to academic achievement and timely acquisition of proficiency in English. As a part of this program, the District will evaluate the progress of students in achieving English language proficiency in the areas of listening, speaking, reading, and writing, on an annual basis (see AP 2260F). The Superintendent is responsible for verifying that a concentration of students who are Limited English Proficient (LEP) in one or more programs is not the result of discrimination.

F. The Board is committed to educating (or providing for the education of) each qualified person with a disability with persons who are not disabled to the maximum extent appropriate. Generally, the District will place a person with a disability in the regular educational environment unless it is demonstrated that the education of the person in the regular environment, even with the use of supplementary aids and services cannot be achieved satisfactorily. If the Board operates a separate class or facility that is identifiable as being for persons with disabilities, the facility, program, and activities and services must be comparable to the facilities, programs, and activities and services offered to students without a disability.

IV. Reports and Complaints of Unlawful Discrimination and Retaliation

Students and Board employees are required, and all other members of the School District community and Third Parties are encouraged to promptly report incidents of unlawful discrimination and/or retaliation to a teacher, administrator, supervisor, or other District official so that the Board may address the conduct. Any teacher, administrator, supervisor, or other District employee or official who receives such a complaint shall file it with the CO within two (2) days.

Members of the School District community, which includes students or Third Parties, who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints 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.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 – *Bullying and Harassment*, the Principal believes that the reported misconduct may constitute unlawful discrimination based on a protected class, the Principal shall report the act to one of the COs who shall investigate the allegation in accordance with this policy. While the CO investigates the allegation, the Principal shall suspend the Policy 5517.01 investigation to await the CO's written report. The CO shall keep the Principal informed of the status of the Policy 2260 investigation and provide the Principal with a copy of the resulting written report.

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. COs shall accept reports of unlawful discrimination/retaliation directly from any member of the School District community or a Third Party, or receive reports that are initially filed with another Board employee. Upon receipt of a report of alleged discrimination/retaliation, the CO will contact the Complainant and

begin either an informal or formal complaint process (depending on the Complainant's request and the nature of the alleged discrimination/retaliation), or the CO will designate a specific individual to conduct such a process. The CO will provide a copy of this policy to the Complainant and the Respondent. In the case of a formal complaint, the CO will prepare recommendations for the Superintendent or oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

Any Board employee who directly observes unlawful discrimination/retaliation of a student is obligated, in accordance with this policy, to report such observations to one of the COs within two (2) business days. Additionally, any Board employee who observes an act of unlawful discrimination/retaliation is expected to intervene to stop the misconduct, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the misconduct. Thereafter, the CO or designee must contact the Complainant, if age eighteen (18) or older, or the Complainant's parents/guardians if the Complainant is under the age eighteen (18), within two (2) days to advise s/he/them of the Board's intent to investigate the alleged wrongdoing.

Nothing contained in this policy is intended to interfere with the rights of any individual to pursue a complaint of unlawful discrimination 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").

V. Investigation and Complaint Procedure

Except for sex discrimination and/or Sexual Harassment that is covered by Policy 2264 – *Nondiscrimination on the Basis of Sex in Education Programs and Activities* or Policy 2266 - *Nondiscrimination on the Basis of Sex in Education Programs or Activities (The Board's Policy and Grievance Procedures for Responding to Sexual Harassment Alleged to Have Occurred Prior to 8/1/2024)*, any student who alleges to have been subjected to unlawful discrimination or retaliation may seek resolution of the complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual's claims of discrimination/retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful discrimination or retaliation, timelines are flexible for initiating the complaint process; however, individuals are encouraged to file a complaint within thirty (30) days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

A. Informal Complaint Procedure

The goal of the informal complaint procedure is to promptly stop inappropriate behavior and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student who alleges unlawful discrimination/retaliation. This informal procedure is not required as a precursor to the filing of a formal complaint.

The informal process is only available in those circumstances where the Complainant and the Respondent mutually agree to participate in it.

Students who believe that they have been unlawfully discriminated/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.

All complaints involving a District employee or any other adult member of the School District community and a student will be formally investigated.

As an initial course of action, if a Complainant feels comfortable and safe doing so, the individual should tell or otherwise inform the Respondent that the allegedly discriminatory/retaliatory conduct is inappropriate and must stop. The Complainant should address the alleged misconduct as soon after it occurs as possible. The COs are available to support and counsel the Complainant when taking this initial step or to intervene on behalf of the individual if requested to do so. A Complainant who is uncomfortable or unwilling to directly approach the Respondent about the inappropriate conduct may file an informal or a formal complaint. In addition, with regard to certain types of unlawful discrimination (e.g., sex discrimination), the CO may advise against the use of the informal complaint process.

A Complainant who alleges unlawful discrimination/retaliation may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator in the school the student attends;

(2) to the Superintendent or other District-level employee; and/or (3) directly to one of the COs.

All informal complaints must be reported to one of the COs who will either facilitate an informal resolution as described below or appoint another individual to facilitate an informal resolution.

The School District's informal complaint procedure is designed to provide the Complainant with a range of options aimed at bringing about a prompt resolution of their concerns. Depending upon the nature of the Complainant's wishes informal resolution may involve, but not be limited to, one (1) or more of the following:

1. Advising the Complainant about how to communicate concerns to the Respondent.
2. Distributing a copy of Policy 2260 – *Nondiscrimination and Access to Equal Educational Opportunity* to the individuals in the school building or office where the Respondent works or attends.
3. If both parties agree, the CO may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the CO or designee is directed to attempt to resolve all informal complaints within fifteen (15) days of receiving the informal complaint. If the Complainant is dissatisfied with the informal complaint process, the Complainant may proceed to file a formal complaint. And, as stated above, either party may request that the informal process be terminated at any time to move to the formal complaint process.

B. Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one (1) of the parties requested that the informal complaint process be terminated to move to the formal complaint process, or if the Complainant, from the outset, elects to file a formal complaint, or the Compliance Officer(s) determines the allegations are not appropriate for resolution through the informal process, the formal complaint process shall be implemented.

The Complainant may file a formal complaint, in writing, with a teacher, Principal, or other District official at the student's school, the CO, Superintendent, or another District official who works at another school or at the District level. Due to the sensitivity surrounding complaints of unlawful discrimination, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) days after the conduct occurs.

Throughout the course of the process, the CO should keep the parties reasonably informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent known: the identity of the 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.

If the complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter, the CO 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.

Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the complainant from further discrimination or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the CO should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions deemed appropriate in consultation with the Superintendent.

Within two (2) days of receiving the complaint, the CO or designee will initiate a formal investigation to determine whether the complainant has been subjected to unlawful discrimination/retaliation.

Simultaneously, the CO will inform the Respondent that a formal complaint has been received. The respondent will be informed about the nature of the allegations and provided access to any relevant policies and/or administrative guidelines, including Policy 2260 - *Nondiscrimination and Access to Equal Educational Opportunity*. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

Although certain cases may require additional time, the CO or designee will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

1. Interviews with the 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 information presented by the complainant, respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the CO or designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in Board policy and State and Federal law as to whether the Respondent has engaged in unlawful discrimination/retaliation of the Complainant. The CO's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if unlawful discrimination or retaliation occurred, a preponderance of evidence standard will be used. (x) The CO may consult with the Board's legal counsel before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) business days of receiving the report of the CO or designee, the Superintendent must either issue a written decision regarding whether the charges have been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the complainant and the respondent.

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 five (5) days. At the conclusion of the additional investigation, the Superintendent shall issue a final written decision as described above.

If the Superintendent determines the Respondent engaged in unlawful discrimination/retaliation toward the Complainant, the Superintendent 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.

The decision of the Superintendent shall be final.

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, 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.

VI. Privacy/Confidentiality

The School District will employ all reasonable efforts to protect the rights of the complainant, the respondent(s), 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 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.

During the course of a formal investigation, the CO or designee will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to third parties any information that is learned or provided during the course of the investigation.

All records created as a part of an investigation of a complaint of discrimination/retaliation will be maintained by the CO in accordance with the Board's records retention policy. Any records that are considered student education records in accordance with the Family Educational Rights and Privacy Act or under Florida's student records law will be maintained in a manner consistent with the provisions of the Federal and State law.

VII. Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful discrimination/retaliation by taking appropriate action reasonably calculated to stop and prevent further misconduct. 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 discrimination/retaliation is not substantiated, the Board 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).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effects.

VIII. 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. 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.

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.

IX. 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 the Board's policy and discrimination in general, will be age and content appropriate.

X. 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:

- 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. written documentation of any interim measures offered and/or provided to complainants, including no contact orders issued to both parties, the dates issued, and the dates the parties acknowledged receipt;
- N. 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;
- O. 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;
- P. 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);
- Q. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination, harassment, or retaliation;
- R. 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.

The information, documents, ESI, and electronic media (as defined in Policy 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.



Book Policy Project Revised
Section 2000 Programs Cleaned
Title SECTION 504/ADA PROHIBITION AGAINST DISCRIMINATION BASED ON DISABILITY
Code po2260.01
Status From Neola
Legal 34 C.F.R. Part 104
29 U.S.C. 794, Section 504 Rehabilitation Act of 1973, as amended
42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

2260.01 - SECTION 504/ADA PROHIBITION AGAINST DISCRIMINATION BASED ON DISABILITY

Pursuant to Section 504 of the Rehabilitation Act of 1973 ("Section 504"), the Americans with Disabilities Act of 1990, as amended ("ADA"), and the implementing regulations (collectively "Section 504/ADA"), no otherwise qualified individual with a disability shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The School Board does not discriminate in admission or access to, or participation in, or treatment in its programs or activities. As such, the Board's policies and practices will not discriminate against students with disabilities will make and the Board will make its facilities, programs, and activities accessible to qualified individuals with disabilities. No discrimination will be knowingly permitted against any individual with a disability on the sole basis of that disability in any of the programs, activities, policies, and/or practices in the District.

"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, and working.

Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

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 (not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aids and cochlear implants or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, assistive technology, reasonable accommodations or auxiliary aids or services, or learned behavioral or adaptive neurological modifications.

With respect to public preschool, elementary and secondary educational services, a qualified person with a disability means a disabled person:

- A. who is of an age during which nondisabled persons are provided educational services;
- B. is of any age during which it is mandatory under Florida law to provide educational services to disabled persons; or

C. to whom the State is required to provide a free appropriate public education pursuant to the Individuals with Disabilities Education Improvement Act (IDEIA).

With respect to vocational education services, a qualified person with a disability means a person with a disability who meets the academic and technical standards requisite to admission or participation in the vocational program or activity. The Board will not deny a student with disabilities access to its vocational education programs or courses due to architectural and/or equipment barriers, or because the student needs related aids or services to receive an appropriate education.

District Compliance Officer(s)

The following person(s) is/are designated as the District Compliance Officer(s) ("Compliance Officer(s)") for receiving complaints pertaining to Section 504 and/or the ADA:

Director of Exceptional Student Education
904-336-6866
900 Walnut Street
Green Cove Springs, FL

The name(s), title(s), and contact information of this individual(s) will be published annually on the School District's website.

Building Principals shall serve as Building Section 504/ADA Compliance Officer(s) ("Building Compliance Officers").

The Compliance Officer(s) is responsible for coordinating the District's efforts to comply with and fulfill its responsibilities under Section 504 and Title II of the ADA. A copy of Section 504 and the ADA, including copies of their implementing regulations, may be obtained from the Compliance Officer.

The Compliance Officer(s) 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.

Complaint Procedures

If a person believes that s/he has been discriminated against on the basis of his/her disability, 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 Section 504 of the Rehabilitation Act of 1973 and its implementing regulations ("Section 504"), parents and students will be notified of their right to file an internal complaint regarding an alleged violation, misinterpretation, or misapplication of Section 504. In addition, students and their parents will be notified of their right to file a complaint with the U.S. Department of Education's Office for Civil Rights. Finally, students and parents will be advised of their right to request a due process hearing before an Impartial Hearing Officer (IHO) regarding the identification, evaluation, or educational placement of persons with disabilities, and their right to examine relevant education records.

Internal complaints and requests for due process hearings must be put in writing and must identify the specific circumstances or areas of dispute that have given rise to the complaint or the request for a hearing, and offer possible solutions to the dispute. The complaint or request for due process hearing must be filed with a District Compliance Officer within specified time limits. The District's Compliance Officer is available to assist individuals in filing a complaint or request.

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).

Internal Complaint Procedures

An internal complaint may be filed by a student and/or parent. A student and/or parent may initiate the internal complaint procedure when s/he/they believe that a violation, misapplication, or misinterpretation of Section 504 has occurred. Additionally, the following procedure may be used for any disagreement with respect to actions regarding the identification, evaluation, or educational program or placement of students who are identified as disabled or believed to be disabled pursuant to Section 504, and are not eligible under the IDEIA, except in the case of disciplinary actions where the provisions of the Student Code of Conduct apply. 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 or requesting a due process hearing.

Step 1

Investigation by the Building Compliance Officer: A student or parent may initiate an investigation by filing a written internal complaint with the Building Compliance Officer. The complaint should fully describe the circumstances giving rise to the dispute and how the child is adversely affected. The complaint must be filed as soon as possible but not longer than thirty (30) calendar days after disclosure of the facts giving rise to the complaint. The Building Compliance Officer shall conduct an impartial investigation of the complaint. As part of the investigation, the Building Compliance Officer shall permit the complainant to present witnesses and other evidence in support of the complaint. The investigation shall be completed within fifteen (15) school days of the written complaint being filed. The Building Compliance Officer will notify the complainant in writing of the outcome of the investigation.

Step 2

Appeal to the District Compliance Officer: If the complaint is not resolved satisfactorily at Step 1, the student or parent may appeal the Building Compliance Officer's decision in writing to the District Compliance Officer. The appeal must be made within five (5) school days following receipt of the Building Compliance Officer's decision. The District Compliance Officer will review the case, may conduct an informal hearing, and will notify all parties in writing of their decision within ten (10) school days of receiving the appeal.

Step 3

If the complaint is not resolved satisfactorily at Step 2, the student or parent may request a due process hearing, provided the complaint involves an issue related to the identification, evaluation, or placement of the student.

If it is determined that the Complainant was subjected to unlawful discrimination, the Building and District Compliance Officers 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.

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

If the complainant is not satisfied with the Superintendent's decision, the complainant will have an additional **[x] 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.

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. 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.

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.

Training

The Compliance Officer(s) 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. This includes, but is not limited to, providing accommodations to parents with disabilities who desire access to their child's educational program or meetings pertinent thereto. Programs and activities will be designed and scheduled so that the location and nature of the facility or area will not deny a student with a disability the opportunity to participate on the same basis as students without disabilities.

Education

The Board is committed to identifying, evaluating, and providing a free appropriate public education (FAPE) to students within its jurisdiction who have a physical or mental impairment that substantially limits one or more major life activities within the definition of Section 504, regardless of the nature or severity of their disabilities.

If a student has a physical or mental impairment that significantly limits one (1) or more major life activities, the Board will provide the student with a free appropriate public education. An appropriate education may include regular or special education and related aids and services to accommodate the unique needs of students with disabilities. For students with disabilities who are not eligible for specially designed instruction under the IDEA, the related aids and services (including accommodations/modifications/interventions) they need in order to have their needs met as adequately as the needs of nondisabled students are met, shall be delineated, along with their placement, in a Section 504 Plan (Form 2260.01A F13). Parents/Guardians/Custodians ("parents") are invited and encouraged to participate fully in the evaluation process and development of a Section 504 Plan. The quality of education services provided to students with disabilities will be equal to the quality of services provided to students without disabilities.

The Board is committed to educating (or providing for the education of) each qualified person with a disability who resides within the District with persons who are not disabled to the maximum extent appropriate.

Generally, the District will place a person with a disability in the regular educational environment unless it is demonstrated that the education of the person in the regular environment even with the use of supplementary aids and services cannot be achieved satisfactorily. If the District places a person in a setting other than the regular educational environment, it shall take into account the proximity of the alternate setting to the person's home. If the Board operates a separate class or facility that is identifiable as being for persons with disabilities, the facility, program, and activities and services must be comparable to the facilities, programs, and activities and services offered to students without a disability.

Non-academic Extra-Curricular Services

The District will provide non-academic extra-curricular services and activities in such a manner as is necessary to afford qualified persons with disabilities an equal opportunity for participation in such services and activities. Nonacademic and extracurricular services and activities may include counseling services, physical recreational athletics, transportation, health services, recreational activities, special interests groups or clubs sponsored by the District, referrals to agencies that provide assistance to persons with disabilities, and employment of students. In providing or arranging for the provision of meals and recess periods, and nonacademic and extracurricular services and activities, including those listed above, the District will verify that persons with disabilities participate with persons without disabilities in such services and activities to the maximum extent appropriate.

Notice

Notice of the Board's policy on nondiscrimination in education practices and the identity of the Compliance Officer(s) will be published on the District's website and posted throughout the District, and included in the District's recruitment statements or general information publications.



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| Book | Policy Project Revised |
| Section | 2000 Programs Cleaned |
| Title | TITLE I SERVICES |
| Code | po2261 |
| Status | From Neola |
| Legal | <u>20 U.S.C. 2701 et seq., Elementary and Secondary Education Act of 1965</u> |

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 Florida Department of Education (FLDOE) 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 supplement the educational program of an entire school in Title I schools that qualify as schoolwide schools. The schoolwide program, for an entire 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, 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 expended for language instruction educational programs and the excess costs of providing services to children with disabilities as determined by the District.

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 determining comparability of services.

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.

E. Professional Development

The Superintendent may develop administrative procedures whereby members of the professional staff may participate in the design and implementation of staff development activities:

1. involve parents in the training, when appropriate;
2. combine and consolidate other available Federal funds, when permissible, and District funds;
3. foster cooperative training with institutions of higher learning and other educational organizations including other school districts;
4. allocate part of the staff development to the following types of strategies:
 - a. performance-based student assessment;
 - b. use of technology;
 - c. working effectively with parents;
 - d. early childhood education;
 - e. meeting children's special needs;
 - f. fostering gender-equitable education;
5. provide opportunities for paraprofessionals to work toward licensing as professional educators.



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|---------|--|
| Book | Policy Project Revised |
| Section | 2000 Programs Cleaned |
| Title | PARENT PARTICIPATION IN TITLE I PROGRAMS |
| Code | po2261.01 |
| Status | From Neola |
| Legal | <u>20 U.S.C. 6318 et seq., Elementary and Secondary Education Act of 1965</u> <u>34 C.F.R. Part 200 et seq.</u> |

2261.01 - **PARENT PARTICIPATION IN TITLE I PROGRAMS**

In accordance with the requirement of Section 1118 of Title I, programs supported by Title I funds must be designed and implemented in consultation with parents of the students being served. Federal funds may be used to purchase food to support parent training and meetings when Federal program guidelines permit such use.

The Superintendent shall ensure that each school's Title I plan contains a written statement of procedures which has been developed with, approved by, and distributed to parents of participating students. The procedures shall describe how:

- A. the District/school expects the parents to be involved in the program, including their participation in the development of the plan;
- B. meetings will be conducted with parents including provision for flexible scheduling and whatever assistance the District/school may be able to provide parents in order to better ensure their attendance at meetings, and for providing information in a language the parents can understand;
- C. meetings will include a review and explanation of the curriculum, means of assessment, and the proficiency levels students are expected to achieve and maintain;
- D. opportunities will be provided to parents to formulate suggestions, interact and share experiences with other parents, and participate appropriately in the decision-making about the program and revisions in the plan;
- E. parents will be involved in the planning, review, and improvement of the Title I program;
- F. information concerning school performance profiles and their child's individual performance will be communicated to parents;
- G. parents will be assisted in providing help to their children in achieving the objectives of the program by such means as ensuring regular attendance, and support in completion of homework;
- H. timely responses will be given to parental questions, concerns, and recommendations;
- I. the District will provide coordination, technical assistance, and other support necessary to assist Title I schools to develop effective parental participation activities to improve academic achievement;
- J. an annual evaluation of the parental involvement plan will be conducted with parents, identifying any barriers to greater parental involvement (such as limited English, limited literacy, economic disadvantage, disability, etc.) and devising strategies to improve parental involvement;

K. the parental involvement plan will be coordinated with other programs, such as Head Start ;

L. other activities will be conducted as appropriate to the plan and State or Federal requirements.

The Superintendent shall also assure that each Title I participating school develops a specific plan, with parental involvement, to:

A. convene an annual meeting at a convenient time to which parents of participating children are invited, to explain the parents' rights to be involved and the schools' obligations to develop an involvement plan;

B. devise a flexible meeting schedule and describe assistance to encourage parental involvement, that may include, such as child care, transportation ;

C. involve parents in an organized, on-going, and timely way in the development, review, and improvement of parent involvement activities;

D. provide participating students' parents with:

1. timely information about the Title I programs;

2. an explanation of the curriculum, the forms or academic assessment, and the proficiency levels expected;

3. regular meetings, upon request, to make suggestions and receive a response regarding their student's education;

E. develop jointly with parents a school-parent compact which outlines the responsibilities of the school staff, the parents, and the student for academic improvement, including:

1. the school's responsibility to provide high quality curriculum, and instruction in a supportive, effective learning environment;

2. parent's responsibility for such things as ensuring regular school attendance, completion of homework, participation in extra-curricular activities;

3. the importance of parent teacher communication at least annually; parent teacher conferences to discuss achievement and the compact; quarterly progress reports to the parents; and reasonable access to the staff.



Book Policy Project Revised
Section 2000 Programs Cleaned
Title TITLE I - PARENTS' RIGHT TO KNOW
Code po2261.02
Status From Neola
Legal 20 U.S.C. 6311, Elementary and Secondary Education Act of 1965
34 C.F.R. Part 200 et seq.

2261.02 - TITLE I - PARENTS' RIGHT TO KNOW

In accordance with the requirement of Section 1111 of Title I, for each school receiving Title I funds, the Superintendent shall make sure that all parents of students in that school are notified that they may request, and the District will provide the following information on the student's classroom teachers:

- A. Whether the teacher(s) have met the State qualification and licensing criteria for the grade level and subject areas they are teaching.
- B. Whether the teacher(s) is teaching under any emergency or provisional status in which the State requirements have been waived.
- C. The undergraduate major of the teacher(s) and the area of study and any certificates for any graduate degrees earned.
- D. The qualifications of any paraprofessionals providing services to their child(ren).
- E. In addition, the parents shall be provided:
 - 1. information on the level of achievement of their child(ren) on the required State academic assessments;
 - 2. timely notice if the student is assigned to a teacher who is not "highly qualified" as required, or if the student is taught for more than four (4) weeks by a teacher who is not "highly qualified".

The notices and information shall be provided in an understandable format, and to the extent possible, in a language the parent(s) understand.



Book Policy Project Revised
Section 2000 Programs Cleaned
Title ANNUAL REPORT REQUIREMENTS
Code po2261.03
Status From Neola
Legal 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
F.S. 1012.66

2261.03 - **ANNUAL REPORT REQUIREMENTS**

In any year that the District receives Title I funding, its annual report to the State will include the following information:

- A. number and percentage of schools identified for school improvement and how long they have been in that category
- B. achievement on statewide academic assessments, comparing the District and the State as a whole
- C. for each school
 1. whether it has been identified for school improvement and, if so, for how many years, and
 2. comparison 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



Book Policy Project Revised

Section 2000 Programs Cleaned

Title NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS AND ACTIVITIES

Code po2266

Status From Neola

Legal 20 U.S.C. 1681 et seq., Title IX of the Education Amendments of 1972 (Title IX).
20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)
42 U.S.C. 2000c et seq., Title IV of the Civil Rights Act of 1964
42 U.S.C. 2000d et seq.
42 U.S.C. 2000e et seq.
42 U.S.C. 1983
34 C.F.R. Part 106
Dear Colleague Letter on Sexual Violence (Office for Civil Rights, 2011).
F.S. 1000.05
OCR's Revised Sexual Harassment Guidance (2001).

2266 – **NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS AND ACTIVITIES**

Introduction

The School Board does not discriminate on the basis of sex in its education programs or activities, and is required by Title IX of the Education Amendments Act of 1972, and its implementing regulations, not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to registration and employment. The Board is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.

The Board prohibits Sexual Harassment that occurs within its education programs and activities. When the District has actual knowledge of Sexual Harassment in its education program or activity against a person in the United States, it shall promptly respond in a manner that is not deliberately indifferent.

Pursuant to its Title IX obligations, the Board is committed to eliminating Sexual Harassment and will take appropriate action when an individual is determined responsible for violating this policy. Board employees, students, third-party vendors and contractors, guests, and other members of the School District community who commit Sexual Harassment are subject to the full range of disciplinary sanctions set forth in this policy. The Board will provide persons who have experienced Sexual Harassment ongoing remedies as reasonably necessary to restore or preserve access to the District's education programs and activities.

Coverage

This policy applies to Sexual Harassment that occurs within the District's education programs and activities and that is committed by a member of the School District community or a Third Party.

This policy does not apply to Sexual Harassment that occurs off school grounds, in a private setting, and outside the scope of the District's education programs and activities; such Sexual Misconduct/Sexual Activity may be prohibited by the Student Code of Conduct if committed by a student, or by Board policies and administrative procedures, applicable State and/or Federal laws and/or Employee Handbook(s) if committed by a Board employee.

Consistent with the U.S. Department of Education's implementing regulations for Title IX, this policy does not apply to Sexual Harassment that occurs outside the geographic boundaries of the United States, even if the Sexual Harassment occurs in the District's education programs or activities. Sexual Harassment that occurs outside the geographic boundaries of the United States is governed by the Student Code of Conduct if committed by a student, or by Board policies and administrative procedures, applicable State and/or Federal laws and/or Employee Handbook(s) if committed by a Board employee.

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.

Sexual Harassment: "Sexual Harassment" means conduct on the basis of sex that satisfies one or more of the following:

- A. A Board employee conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct (often called "*quid pro quo*" harassment);
- B. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, **and** objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
- C. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)A(v), or "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

"Sexual assault" means any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Sexual assault includes rape, sodomy, sexual assault with an object, fondling, incest, and statutory rape.

1. *Consent* refers to words or actions that a reasonable person would understand as agreement to engage in the sexual conduct at issue. A person may be incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. A person who is incapacitated is not capable of giving consent.
2. *Incapacitated* refers to the state where a person does not understand and/or appreciate the nature or fact of sexual activity due to the effect of drugs or alcohol consumption, medical condition, disability, or due to a state of unconsciousness or sleep.

D. "Domestic violence" includes felony or misdemeanor crimes of violence committed by:

1. a current or former spouse or intimate partner of the victim;
2. a person with whom the victim shares a child in common;
3. a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
4. a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime occurred; or
5. any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime occurred.

E. "Dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

F. "Stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to – (1) fear for the person's safety or the safety of others; or (2) suffer substantial emotional distress.

Complainant: "Complainant" means an individual who is alleged to be the victim of conduct that could constitute Sexual Harassment.

Respondent: "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute Sexual Harassment.

Formal Complaint: "Formal Complaint" means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that the District investigate the allegation(s) of Sexual Harassment. At the time of filing a Formal Complaint with the District, a Complainant must be participating in or attempting to participate in the District's education program or activity. A "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal that the Board provides for this purpose) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint. Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or a party to the Formal Complaint and must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Actual Knowledge: "Actual knowledge" means notice of Sexual Harassment or allegations of Sexual Harassment to the District's Title IX Coordinator, or any District official who has authority to institute corrective measures on behalf of the Board, or any Board employee. The mere ability or obligation to report Sexual Harassment or to inform a student about how to report Sexual Harassment, or having been trained to do so, does not qualify an individual as one who has the authority to institute corrective measures on behalf of the District. "Notice" includes, but is not limited to, a report of Sexual Harassment to the Title IX Coordinator. This standard is not met when the only District official with actual knowledge is the Respondent.

Supportive Measures: "Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment or deter Sexual Harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, school/campus escort services, mutual restrictions of contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus (including school buildings and facilities), referral to Employee Assistance Program, and other similar measures.

Education Program or Activity: "Education program or activity" refers to all operations of the District, including but not limited to in-person and online educational instruction, employment, extracurricular activities, athletics, performances, and community engagement and outreach programs. The term applies to all activity that occurs on school grounds or on other property owned or occupied by the Board. It also includes locations, events, and circumstances that take place off-school property/grounds over which the Board exercises substantial control over both the Respondent and the context in which the Sexual Harassment occurs.

School District community: "School District community" refers to 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: "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).

Inculpatory Evidence: "Inculpatory evidence" is evidence that tends to establish a Respondent's responsibility for alleged Sexual Harassment.

Exculpatory Evidence: "Exculpatory evidence" is evidence that tends to clear or excuse a Respondent from allegations of Sexual Harassment.

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).

Eligible Student: "Eligible Student" means a student who has reached eighteen (18) years of age or is attending an institution of postsecondary education.

Title IX Coordinator(s)

The Board designates and authorizes the following individual(s) to oversee and coordinate its efforts to comply with Title IX and its implementing regulations:

Chief of Secondary Education
904-336-6919
23 South Green Street
Green Cove Springs, Florida 32043

The Title IX Coordinator shall report directly to the Superintendent except when the Superintendent is a Respondent. In such matters, the Title IX Coordinator shall report directly to the Board Attorney. Questions about this policy should be directed to the Title IX Coordinator.

The Superintendent shall notify applicants for employment, students, parents or legal guardians of elementary and secondary school students, Board employees, and all unions or professional organizations holding collective bargaining or professional agreements with the Board of the following information:

The School Board of Clay County, Florida does not discriminate on the basis of sex in its education program or activity, and is required by Title IX and its implementing regulations not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to registration employment. The District's Title IX Coordinator(s) is/are:

Chief of Secondary Education
904-336-6919
23 South Green Street
Green Cove Springs, Florida 32043

Any inquiries about the application of Title IX and its implementing regulations to the District may be referred to the Title IX Coordinator(s), the Assistant Secretary for the U.S. Department of Education's Office for Civil Rights, or both.

The Board has adopted a grievance process that provides for the prompt and equitable resolution of student and employee complaints alleging any action that is prohibited by Title IX and/or its implementing regulations. The grievance process is included in Policy 2266 – Nondiscrimination on the Basis of Sex in Education Programs and Activities, which is available at: www.oneclay.net. The grievance process specifically addresses how to report or file a complaint of sex discrimination, how to report or file a formal complaint of Sexual Harassment, and how the District will respond.

The Superintendent shall also prominently display the Title IX Coordinator's(s') contact information – including name(s) and/or title(s), phone number(s), office address(es), and e-mail address(es) – and this policy on the District's website and in each handbook or catalog that the Board makes available to applicants for employment, students, parents or legal guardians of elementary and secondary school students, Board employees, and all unions or professional organizations holding collective bargaining or professional agreements.

Grievance Process

The Board is committed to promptly and equitably resolving student and employee complaints alleging Sexual Harassment. The District's response to allegations of Sexual Harassment will treat Complainants and Respondents equitably, including providing supportive measures to the Complainant and Respondent, as appropriate, and following this Grievance Process before imposition of any disciplinary sanctions or other actions, other than supportive measures, against the Respondent.

The Title IX Coordinator(s), along with any investigator(s), decision-maker(s), or any person(s) designated to facilitate an informal resolution process, shall not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

If a determination of responsibility for Sexual Harassment is made against the Respondent, the Board will provide remedies to the Complainant. The remedies will be designed to restore or preserve equal access to the District's education program or activity. Potential remedies include, but are not limited to, individualized services that constitute supportive measures. Remedies may also be disciplinary or punitive in nature and may burden the Respondent.

Report of Sexual Discrimination/Harassment

Any person may report sex discrimination, including Sexual Harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or Sexual Harassment), in person, by mail, by telephone, or by electronic mail, using the Title IX Coordinator's(s') contact information listed above, or by any other means that results in the Title IX Coordinator receiving the person's oral or written report. Reports may be made at any time (including during non-business hours), by using the telephone number(s) or electronic mail address(es), or by mail to the office address(es), listed for the Title IX Coordinator(s).

Students, Board members, and Board employees are required, and other members of the School District community and Third Parties are encouraged, to report allegations of sex discrimination or Sexual Harassment promptly to the/a Title IX Coordinator or to any Board employee who will, in turn, notify the/a Title IX Coordinator. Reports can be made orally or in writing and should be as specific as possible. The person making the report should, to the extent known, identify the alleged victim(s), perpetrator(s), and witness(es), and describe in detail what occurred, including date(s), time(s), and location(s).

If a report involves allegations of Sexual Harassment by or involving the Title IX Coordinator, the person making the report should submit it to the Superintendent, or another Board employee who, in turn, will notify the Superintendent of the report. The Superintendent will then serve in place of the Title IX Coordinator for purposes of addressing that report of Sexual Harassment.

The Board does business with various vendors, contractors, and other third-parties who are not students or employees of the Board. Notwithstanding any rights that a given vendor, contractor, or third-party Respondent may have under this policy, the Board retains the right to limit any vendor's, contractor's, or third-party's access to school grounds for any reason. The Board further retains all rights it enjoys by contract or law to terminate its relationship with any vendor, contractor, or third-party irrespective of any process or outcome under this policy.

A person may file criminal charges simultaneously with filing a Formal Complaint. A person does not need to wait until the Title IX investigation is completed before filing a criminal complaint. Likewise, questions or complaints relating to Title IX may be filed with the U.S. Department of Education's Office for Civil Rights at any time.

Any allegations of Sexual Misconduct/Sexual Activity not involving Sexual Harassment will be addressed through the procedures outlined in Board policies, the applicable Student Code of Conduct, applicable collective bargaining agreement, and/or Employee Handbook.

Because the Board is considered to have actual knowledge of Sexual Harassment or allegations of Sexual Harassment if any Board employee has such knowledge, and because the Board must take specific actions when it has notice of Sexual Harassment or allegations of Sexual Harassment, a Board employee who has independent knowledge of or receives a report involving allegations of sex discrimination and/or Sexual Harassment must notify the/a Title IX Coordinator within two (2) business days of learning the information or receiving the report. The Board employee must also comply with mandatory reporting responsibilities regarding suspected abuse, abandonment, or neglect of a child pursuant to F.S. 39.201 and Policy 8462 – Student Abuse, Abandonment, and Neglect, if applicable. If the Board employee's knowledge is based on another individual bringing the information to the Board employee's attention and the reporting individual submitted a written complaint to the Board employee, the Board employee must provide the written complaint to the Title IX Coordinator.

If a Board employee fails to report an incident of Sexual Harassment of which the Board employee is aware, the Board employee may be subject to disciplinary action, up to and including termination.

When a report of Sexual Harassment is made, the Title IX Coordinator shall promptly (i.e., within two (2) business days of the Title IX Coordinator's receipt of the report of Sexual Harassment) contact the Complainant (including the parent/guardian if the Complainant is under eighteen (18) years of age or under guardianship) to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a Formal Complaint, and explain to the Complainant the process for filing a Formal Complaint. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Any supportive measures provided to the Complainant or Respondent shall be maintained as confidential, to the extent that maintaining such confidentiality will not impair the ability of the District to provide the supportive measures.

Emergency Removal: Subject to limitations and/or procedures imposed by State and/or Federal law, the District may remove a student Respondent from its education program or activity on an emergency basis after conducting an individualized safety and risk analysis. The purposes of the individualized safety and risk analysis is to determine whether the student Respondent poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment that justifies removal. If the District determines the student Respondent poses such a threat, it will so notify the student Respondent and the student Respondent will have an opportunity to challenge the decision immediately following the removal. See Policy 5610 – Removal, Out-of-School Suspension, Disciplinary Placement, and Expulsion of Students, Policy 5610.01 – Emergency Removal of Students, and Policy 5611 – Due Process Rights.

If the Respondent is a non-student employee, the District may place the Respondent on administrative leave during the pendency of the grievance process.

For all other Respondents, including other members of the School District community and Third Parties, the Board retains broad discretion to prohibit such persons from entering onto its school grounds and other properties at any time and for any reason, whether after receiving a report of Sexual Harassment or otherwise.

Formal Complaint of Sexual Harassment

A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or electronically. If a Formal Complaint involves allegations of Sexual Harassment by or involving the Title IX Coordinator, the Complainant should submit the Formal Complaint to the Superintendent, who will designate another person to serve in place of the Title IX Coordinator for the limited purpose of implementing the grievance process with respect to that Formal Complaint.

When the Title IX Coordinator receives a Formal Complaint or signs a Formal Complaint, the District will follow its Grievance Process, as set forth herein. Specifically, the District will undertake an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and provide that credibility determinations will not be based on a person’s status as a Complainant, Respondent, or witness.

It is a violation of this policy for a Complainant(s), Respondent(s), and/or witness(es) to knowingly making false statements or knowingly submitting false information during the grievance process, including intentionally making a false report of Sexual Harassment or submitting a false Formal Complaint. The Board will not tolerate such conduct, which is a violation of the Student Code of Conduct and the Employee Handbook.

The Respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

Timeline

The District will seek to conclude the grievance process, including resolving any appeals, within sixty (60) days of receipt of the Formal Complaint.

If the Title IX Coordinator offers informal resolution processes, the informal resolution processes may not be used by the Complainant or Respondent to unduly delay the investigation and determination of responsibility. The timeline, however, may be subject to a temporary delay of the grievance process or a limited extension for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party’s advisor, or a witness; concurrent law enforcement activity; and the need for language assistance or an accommodation of disabilities.

Upon receipt of a Formal Complaint, the Title IX Coordinator will provide written notice of the following to the parties who are known:

- A. Notice of the Board’s grievance process, including any informal resolution processes;
- B. Notice of the allegations of misconduct that potentially constitutes Sexual Harassment as defined in this policy, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting Sexual Harassment, and the date and location of the alleged incident, if known. The written notice must:
 - 1. include a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process;
 - 2. inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence.
 - 3. inform the parties of any provision in the Student Code of Conduct, this policy, and/or Employee Handbook that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, during the course of the investigation, the investigator becomes aware of allegations about the Complainant or Respondent that are not included in the original notice provided to the parties, the investigator will notify the Title IX Coordinator and the Title IX Coordinator will decide whether the investigator should investigate the additional allegations; if

the Title IX Coordinator decides to include the new allegations as part of the investigation, the Title IX Coordinator will provide notice of the additional allegations to the parties whose identities are known.

Dismissal of a Formal Complaint

The District shall investigate the allegations in a Formal Complaint, *unless* the conduct alleged in the Formal Complaint:

- A. would not constitute Sexual Harassment (as defined in this policy) even if proved;
- B. did not occur in the District's education program or activity; or
- C. did not occur against a person in the United States.

If one of the preceding circumstances exist, the Title IX Coordinator *shall* dismiss the Formal Complaint. If the Title IX Coordinator dismisses the Formal Complaint due to one of the preceding reasons, the District may still investigate and take action with respect to such alleged misconduct pursuant to another provision of an applicable code of conduct, Board policy, and/or Employee/ Handbook.

The Title IX Coordinator *may* dismiss a Formal Complaint, or any allegations therein, if at any time during the investigation :

- A. a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
- B. the Respondent is no longer enrolled in the District or employed by the Board; or
- C. specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

If the Title IX Coordinator dismisses a Formal Complaint or allegations therein, the Title IX Coordinator must promptly send written notice of the dismissal and the reason(s) therefor simultaneously to the parties.

Consolidation of Formal Complaints

The Title IX Coordinator may consolidate Formal Complaints as to allegations of Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Sexual Harassment arise out of the same facts or circumstances.

Where a grievance process involves more than one Complainant or more than one Respondent, references in this policy to the singular "party," "Complainant," or "Respondent" include the plural, as applicable.

Informal Resolution Process

Under no circumstances shall a Complainant be required as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, to waive any right to an investigation and adjudication of a Formal Complaint of Sexual Harassment. Similarly, no party shall be required to participate in an informal resolution process.

If a Formal Complaint is filed, the Title IX Coordinator may offer to the parties an informal resolution process. If the parties mutually agree to participate in the informal resolution process, the Title IX Coordinator shall designate a trained individual to facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. The informal resolution process may be used at any time prior to the decision-maker(s) reaching a determination regarding responsibility.

If the Title IX Coordinator is going to propose an informal resolution process, the Title IX Coordinator shall provide to the parties a written notice disclosing:

- A. the allegations;
- B. the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations; and
- C. any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

Any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the Formal Complaint.

Before commencing the informal resolution process, the Title IX Coordinator shall obtain from the parties their voluntary, written consent to the informal resolution process.

During the pendency of the informal resolution process, the investigation and adjudication processes that would otherwise occur have stayed and all related deadlines are suspended.

The informal resolution process is not available to resolve allegations that a Board employee or another adult member of the School District community or Third Party sexually harassed a student.

The informal resolution process is not available to resolve allegations involving a sexual assault involving a student Complainant and a student Respondent.

Investigation of a Formal Complaint of Sexual Harassment

In conducting the investigation of a Formal Complaint and throughout the grievance process, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility is on the District, not the parties.

In making the determination of responsibility, the decision-maker(s) is(are) directed to use the preponderance of the evidence standard. The decision-maker(s) is charged with considering the totality of all available evidence, from all relevant sources.

The District is not permitted to access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the party provides the District with voluntary, written consent to do so; if a student party is not an Eligible Student, the District must obtain the voluntary, written consent of a parent.

Similarly, the investigator(s) and decision-maker(s) may not require, allow, rely upon or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege in writing.

As part of the investigation, the parties have the right to:

- A. present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence; and
- B. have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. The District may not limit the choice or presence of an advisor for either the Complainant or Respondent in any meeting or grievance proceeding.

The District establishes the following restrictions, which apply equally to both parties, regarding the extent to which an advisor may participate in the proceedings:

___Advisors will be reminded that their role in the Title IX process is limited to a supportive, rather than participatory, role. Advisors shall not interfere with or disrupt the investigative process. No advisor will be allowed to cross-examine witnesses or speak for their advisee.

Board Policy 2461 Controls whether a person is allowed to audio record or video record any meeting or grievance proceeding.

Neither party shall be restricted in their ability to discuss the allegations under investigation or to gather and present relevant evidence.

The District will provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the party to prepare to participate. The investigator(s) and decision-maker(s) must provide a minimum of five (5) days' notice with respect to investigative interviews and other meetings

Both parties shall have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation.

Prior to completion of the investigative report, the Title IX Coordinator will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have at least ten (10) calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report.

At the conclusion of the investigation, the investigator shall create an investigative report that fairly summarizes relevant evidence and send the report to each party and the party's advisor, if any, for their review and written response. The investigator will send the investigative report in an electronic format or a hard copy, at least ten (10) calendar days prior to the decision-maker(s) issuing a determination regarding responsibility.

Determination of Responsibility

The Title IX Coordinator shall appoint a decision-maker(s) to issue a determination of responsibility. The decision-maker(s) cannot be the same person(s) as the Title IX Coordinator(s) or the investigator(s).

After the investigator sends the investigative report to the parties and the decision-maker(s), and before the decision-maker(s) reaches a determination regarding responsibility, the decision-maker(s) will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

Determination regarding responsibility: The decision-maker(s) will issue a written determination regarding responsibility. To reach this determination, the decision-maker(s) must apply the preponderance of the evidence standard.

The written determination will include the following content:

- A. Identification of the allegations potentially constituting Sexual Harassment pursuant to this policy;
- B. A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, [and] methods used to gather other evidence,
- C. Findings of fact supporting the determination;
- D. Conclusions regarding the application of the applicable code of conduct to the facts;
- E. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the decision-maker(s) is recommending that the District impose on the Respondent(s), and whether remedies designed to restore or preserve equal access to the District's education program or activity should be provided by the District to the Complainant(s); and
- F. The procedures and permissible bases for the Complainant(s) and Respondent(s) to appeal.

The following disciplinary sanctions/consequences may be imposed on a student Respondent who is determined responsible for violating this policy (i.e., engaging in Sexual Harassment):

- A. Informal Discipline
 - 1. writing assignments;
 - 2. changing of seating or location;

3. pre-school, lunchtime, and/or after-school detention;

4. in-school discipline.

B. Formal Discipline

1. suspension of bus riding/transportation privileges;

2. removal from co-curricular and/or extra-curricular activity(ies), including athletics;

3. emergency removal;

4. suspension for up to ten (10) school days;

5. expulsion not to exceed the remainder of the term or school year and one (1) additional year of attendance;

6. any other sanction authorized by the Student Code of Conduct.

If the decision-maker(s) determines the student Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the Superintendent of the recommended remedies, so an authorized administrator can consider the recommendation(s) and implement an appropriate remedy(ies) in compliance with Policy 5600 – Student Discipline, Policy 5605 – Suspension/Expulsion of Disabled Students, Policy 5610 – Removal, Out-of-School Suspension, Disciplinary Placement, and Expulsion of Students, Policy 5601.01 – Emergency Removal of Students, Policy 5610.02 – In-School Discipline, Policy 5610.04 – Suspension of Bus Riding/Transportation Privileges, Policy 5610.05 – Participation in Extra-Curricular Activities, and Policy 5611 – Due Process Rights. Discipline of a student Respondent must comply with the applicable provisions of the Individuals with Disabilities Education Improvement Act (IDEA) and/or Section 504 of the Rehabilitation Act of 1972, and their respective implementing regulations.

The following disciplinary sanctions/consequences may be imposed on an employee Respondent who is determined responsible for violating this policy (i.e., engaging in Sexual Harassment):

A. oral or written warning;

B. written reprimands;

C. performance improvement plan;

D. required counseling;

E. required training or education;

F. demotion;

G. suspension with pay;

H. suspension without pay;

I. termination, and any other sanction authorized by any applicable Employee Handbook and/or collective bargaining agreement.

If the decision-maker(s) determines the employee Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the Superintendent of the recommended remedies, so an authorized administrator can consider the recommendation(s) and implement an appropriate remedy(ies) in compliance with applicable due process procedures, whether statutory or contractual.

Discipline of an employee will be implemented in accordance with Federal and State law, Board policy, and applicable provisions of any relevant collective bargaining agreement.

The following disciplinary sanctions/consequences may be imposed on a non-student/non-employee member of the School District community or Third Party who is determined responsible for violating this policy (i.e., engaging in Sexual Harassment):

- A. oral or written warning;
- B. suspension or termination/cancellation of the Board's contract with the third-party vendor or contractor;
- C. mandatory monitoring of the third-party while on school property and/or while working/interacting with students;
- D. restriction/prohibition on the third-party's ability to be on school property; and
- E. any combination of the same.

If the decision-maker(s) determines the third-party Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including imposition of sanctions. The Title IX Coordinator will notify the Superintendent of the recommended remedies, so appropriate action can be taken.

The decision-maker(s) will provide the written determination to the Title IX Coordinator who will provide the written determination to the parties simultaneously.

In ultimately imposing a disciplinary sanction/consequence, the Superintendent (or the Board when the appointed Superintendent is the Respondent) will consider the severity of the incident, previous disciplinary violations (if any), and any mitigating circumstances. If the Respondent is an elected Superintendent or Member of the Board, the Board shall notify the appropriate Florida governmental authority(ies).

The District's resolution of a Formal Complaint ordinarily will not be impacted by the fact that criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

At any point in the grievance process, the Superintendent (or the Title IX Coordinator if the Superintendent is the Respondent) may involve local law enforcement and/or file criminal charges related to allegations of Sexual Harassment that involve a sexual assault.

The Title IX Coordinator is responsible for effective implementation of any remedies.

Appeal

Both parties have the right to file an appeal from a determination regarding responsibility, or from the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein, on the following bases:

- A. Procedural irregularity that affected the outcome of the matter (e.g., material deviation from established procedures);
- B. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- C. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant(s) or Respondent(s) that affected the outcome of the matter.

The Complainant(s) may not challenge the ultimate disciplinary sanction/consequence that is imposed.

Any party wishing to appeal the decision-maker(s)'s determination of responsibility, or the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein, must submit a written appeal to the Title IX Coordinator within five (5) business days after receipt of the decision-maker(s)'s determination of responsibility or the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein.

Nothing herein shall prevent the Superintendent from implementing appropriate remedies; however, excluding disciplinary sanction, while the appeal is pending.

As to all appeals, the Title IX Coordinator will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties.

The decision-maker(s) for the appeal shall not be the same person(s) as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator(s). The decision-maker(s) for the appeal shall not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant(s) or Respondent(s) and shall receive the same training as required of other decision-makers.

Both parties shall have a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

The parties' written statements in support of, or challenging, the determination of responsibility must be submitted within five 5_business days after the Title IX Coordinator provides notice to the non-appealing party of the appeal.

The decision-maker(s) for the appeal shall issue a written decision describing the result of the appeal and the rationale for the result. The original decision-makers(s') determination of responsibility will stand if the appeal request is not filed in a timely manner or the appealing party fails to show clear error and/or a compelling rationale for overturning or modifying the original determination. The written decision will be provided to the Title IX Coordinator who will provide it simultaneously to both parties. The written decision will be issued within five (5) business days of when the parties' written statements were submitted.

The determination of responsibility associated with a Formal Complaint, including any recommendations for remedies/disciplinary sanctions, becomes final when the time for filing an appeal has passed or, if an appeal is filed, at the point when the decision-maker(s) for the appeal's decision is delivered to the Complainant and the Respondent. No further review beyond the appeal is permitted.

Retaliation

Neither the Board nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or Sexual Harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or Formal Complaint of Sexual Harassment, for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, constitutes retaliation. Retaliation against a person for making a report of Sexual Harassment, filing a Formal Complaint, or participating in an investigation, is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Complaints alleging retaliation may be filed according to the grievance 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.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy shall not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

Confidentiality

The District will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a Formal Complaint of Sexual Harassment, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, F.S. 1002.22-1002.222, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the District's obligation to maintain confidentiality shall not impair or otherwise affect the Complainant's and Respondent's receipt of the information to which they are entitled related to the investigative record and determination of responsibility).

Application of the First Amendment

The Board will construe and apply this policy consistent with the First Amendment to the U.S. Constitution.

Training

The District's Title IX Coordinator, along with any investigator(s), decision-maker(s), or person(s) designated to facilitate an informal resolution process, must receive training on:

- A. the definition of Sexual Harassment (as that term is used in this policy);
- B. the scope of the District's education program or activity;

C. how to conduct an investigation and implement the grievance process, appeals, and informal resolution processes, as applicable; and

D. how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interests, and bias.

All Board employees will be trained concerning their legal obligation to report Sexual Harassment to the Title IX Coordinator. This training will include practical information about how to identify and report Sexual Harassment.

Recordkeeping

As part of its response to alleged violations of this policy, the District shall create, and maintain for a period of seven (7) calendar years, records of any actions, including any supportive measures, taken in response to a report or Formal Complaint of Sexual Harassment. In each instance, the District shall document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's education program or activity. If the District does not provide a Complainant with supportive measures, then the District will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the District in the future from providing additional explanations or detailing additional measures taken.

The District shall maintain for a period of seven (7) calendar years the following records:

- A. each Sexual Harassment investigation including any determination regarding responsibility, any disciplinary sanctions recommended and/or imposed on the Respondent(s), and any remedies provided to the Complainant(s) designed to restore or preserve equal access to the District's education program or activity
- B. any appeal and the result therefrom
- C. any informal resolution and the result therefrom, and
- D. all materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.

The District will make its training materials publicly available on its website.

Outside Appointments, Dual Appointments, and Delegations

The Board retains discretion to appoint suitably qualified persons who are not Board employees to fulfill any function of the Board under this policy, including, but not limited to, Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor.

The Board also retains discretion to appoint two or more persons to jointly fulfill the role of Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor.

The Superintendent may delegate functions assigned to a specific Board employee under this policy, including but not limited to the functions assigned to the Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor, to any suitably qualified individual and such delegation may be rescinded by the Superintendent at any time.

Discretion in Application

The Board retains discretion to interpret and apply this policy in a manner that is not clearly unreasonable, even if the Board's interpretation or application differs from the interpretation of any specific Complainant and/or Respondent.

Despite the Board's reasonable efforts to anticipate all eventualities in drafting this policy, it is possible unanticipated or extraordinary circumstances may not be specifically or reasonably addressed by the express policy language, in which case the Board retains discretion to respond to the unanticipated or extraordinary circumstance in a way that is not clearly unreasonable.

The provisions of this policy are not contractual in nature, whether in their own right, or as part of any other express or implied contract. Accordingly, the Board retains discretion to revise this policy at any time, and for any reason. The Board may apply policy revisions to an active case provided that doing so is not clearly unreasonable.



Book Policy Project Revised
Section 2000 Programs Cleaned
Title RELIGION IN THE CURRICULUM
Code po2270
Status From Neola
Legal F.S. 1003.45
U.S. Consti. Amend. 1

2270 - **RELIGION IN THE CURRICULUM**

Instructional activities shall not be permitted to advance or inhibit any particular religion or religion generally.

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

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

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

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

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

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



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Section 2000 Programs Cleaned
Title ARTICULATION AND ACCESS TO FLORIDA COLLEGE SYSTEM INSTITUTIONS
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F.S. 1007.27
F.S. 1007.271
F.S. 1007.273
F.S. 1008.44
F.A.C. 6A-10.024, Articulation Between and Among Universities, Florida Colleges and School Districts
F.A.C. 6A-20.007

2271 - ARTICULATION AND ACCESS TO FLORIDA COLLEGE SYSTEM INSTITUTIONS

Postsecondary Enrollment Programs

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

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

For students who are dual enrolled in a postsecondary institution, the Superintendent shall notify the institution within one (1) business day of receiving notification from law enforcement when a student is arrested.

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

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

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

The District may deny high school credit for any portion of postsecondary courses which are taken during the period of a student's expulsion. Any 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 or university. A student may lose the opportunity to participate in a dual enrollment course if the student is disruptive to the learning process such that the progress of other students or the efficient administration of the course is hindered.

Early College Program

The Board, in conjunction with Florida College System institutions, shall establish one (1) or more early college structured high school accelerated programs. When creating an early college program, the Board shall execute a contract with a local Florida College System institution that contains all the requirements set forth in F.S. 1007.273. The program shall be established at a mutually agreeable location. Each contract must be executed by January 1st of each school year for implementation during the next school year.

The Board may execute a contract to establish an early college program with a State university or an institution that is eligible to participate in the William L. Boyd, IV, Effective Access to Student Education 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.



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Section 2000 Programs Cleaned
Title PHYSICAL EDUCATION
Code po2280
Status From Neola
Legal [F.S. 1003.4282](#)
[F.S. 1003.453](#)
[F.S. 1003.455](#)

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

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 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 one (1) credit in physical education.

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.

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.



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| Book | Policy Project Revised |
| Section | 2000 Programs Cleaned |
| Title | CLASS SIZE |
| Code | po2312 |
| Status | From Neola |
| Legal | <u>F.S. 1003.03</u> |

2312 - **CLASS SIZE**

The School Board requires that class sizes be determined with reference to instructional quality and economy of operation.

A desired range between the minimum and maximum number of students which teachers shall have in their regular classes shall be determined by the Superintendent.

In determining the maximum number of students in a class, consideration shall be given to:

- A. subject matter;
- B. type of instruction;
- C. ability of students.

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| Book | Policy Project Revised |
| Section | 2000 Programs Cleaned |
| Title | FIELD AND OTHER DISTRICT-SPONSORED TRIPS |
| Code | po2340 |
| Status | From Neola |
| Legal | <u>F.S. 1001.43</u> |

2340 - **FIELD AND OTHER DISTRICT-SPONSORED TRIPS**

The School Board recognizes that field trips, when used for teaching and learning integral to the curriculum, are an educationally sound and important ingredient in the instructional program of the schools. Properly planned and executed field trips should:

- A. supplement and enrich classroom procedures by providing learning experiences in an environment outside the schools;
- B. arouse new interests among students;
- C. help students relate school experiences to the reality of the world outside of school;
- D. bring the resources of the community - natural, artistic, industrial, commercial, governmental, educational - within the student's learning experience;
- E. afford students the opportunity to study real things and real processes in their actual environment;
- F. should encourage parents to attend and chaperone given that they have met the chaperone criteria.

For purposes of this policy, a field trip shall be defined as any planned journey by one or more students away from District premises, which is an integral part of a course of study and is under the direct supervision and control of an instructional staff member or any advisor as designated by the Superintendent.

Other District-sponsored trips shall be defined as any planned, student-travel activity which is approved as part of the District's total educational program and is under the supervision and control of an instructional staff member or any advisor as designated by the Superintendent.

School personnel shall comply with Board Policy 1214, Policy 3214, and Policy 4214 - *Solicitation or Acceptance of Gifts or Unauthorized Compensation* when planning all field trips and other school-sponsored events and activities.

The Board shall approve trips that are planned to keep students out of the District overnight or longer or out of the State.

The Superintendent shall approve all other such trips.

Students may be charged fees, including, but not limited to, admission fees, for District-sponsored trips but no student shall be denied participation for financial inability, nor shall nonparticipation be penalized academically.

Students on all District-sponsored trips remain under the supervision of this Board and are subject to the District's administrative procedures.

The Board does not endorse, support, or assume liability in any way for any staff member, volunteer, or parent of the District who takes students on trips not approved by the Board or Superintendent. No staff member may solicit students of this District for such trips within the facilities or on the school grounds of the District without permission from the Superintendent. Permission to solicit neither grants nor implies approval of the trip. Such approval must be obtained in accordance with the District's administrative procedures for extended trips.

An instructional staff member shall not change a planned itinerary while the trip is in progress, except where the health, safety, or welfare of the students in his/her charge is imperiled or where changes or substitutions beyond his/her control have frustrated the purpose of the trip.

In any instance in which the itinerary of a trip is altered, the instructional staff member in charge shall notify the administrative superior immediately.

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F.S. 1002.3105
F.S. 1002.321
F.S. 1002.37
F.S. 1003.4295
F.S. 1007.271
F.S. 1007.273

2370 - **EDUCATIONAL OPTIONS**

The School Board recognizes the need to provide alternative means by which students achieve the goals of the District.

Students may access virtual instruction courses provided by the District, the Florida Virtual School, and/or other approved providers, and the District may award credit for successful completion of such courses. The District-provided virtual instruction option shall consist of full-time and/or part-time virtual instruction for students enrolled in grades K-12.

A student may explore all educational options available in the District by completing and submitting an application to the specific program of interest. Upon review and determination that the student meets all program eligibility requirements, the student will be permitted to apply to the selected program.

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.

Participation in an educational option shall be in accordance with the District's Student Progression Plan.

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Title VIRTUAL INSTRUCTION
Code po2370.01
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Legal F.S. 1000.04
F.S. 1001.20
F.S. 1001.42
F.S. 1002.20
F.S. 1002.321
F.S. 1002.37
F.S. 1002.45
F.S. 1002.455
F.S. 1003.02
F.S. 1003.32(1)
F.S. 1003.4282
F.S. 1003.498
F.S. 1003.499
F.S. 1006.29
F.S. 1007.27
F.S. 1011.62
F.A.C. 6A-6.0981

2370.01 - VIRTUAL INSTRUCTION

The School Board recognizes the need to provide alternative means by which students achieve the goals of the District.

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.

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.

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.

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.

- A. Student performance shall be evaluated by awarding letter grades.
- B. Credit shall be granted to the student upon successful completion of the course. The credit shall be placed on the student transcript.
- C. Credits earned from educational options may be counted toward graduation requirements in accordance with applicable State law and administrative code.

The Superintendent shall develop the administrative procedures necessary to implement this policy.

The District may offer a full-time or part-time program for grade 9-12 students enrolled in dropout prevention, academic intervention, Department of Juvenile Justice (DJJ), core courses to meet class size requirements, or community colleges.

STUDENT PARTICIPATION REQUIREMENTS

Students participating in a virtual instruction program must take Statewide standardized assessments pursuant to F.S. 1008.22 and participate in the coordinated screening and progress monitoring system under F.S. 1008.25. The approved virtual instruction program provider or virtual charter school shall provide a list of students to be administered Statewide assessments and progress monitoring to the District, including the students' names, Florida Education Identifiers, grade levels, assessments and progress monitoring to be administered and contact information. Unless an alternative testing site is mutually agreed to by the virtual program provider or virtual charter school and the Board, all assessments and progress monitoring must be taken at the school to which the student would be assigned according to the Board's attendance policy. The District must provide the student with access to the school's or Board's testing facilities and provide the student with the date and time of the administration of each assessment and progress monitoring.

NOTIFICATION OF VIRTUAL INSTRUCTION PROGRAM TO PARENTS AND STUDENTS

Within the first week of each school year, the District shall provide notification to parents and students about a student's right and choice to participate in a District virtual instruction program and in courses offered by the Florida Virtual School under State law.



Book Policy Project Revised
Section 2000 Programs Cleaned
Title HOPE SCHOLARSHIPS
Code po2371
Status From Neola
Legal F.S. 1002.40
F.A.C. 6A-6.0951

2371 - HOPE SCHOLARSHIPS

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.

Eligibility

A student in grade K-12 is eligible for certain educational options if the student was subjected to, and subsequently reported to the Principal, 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:

- A. battery;
- B. harassment (see Policy 5517.01 - *Bullying and Harassment*);
- C. hazing (see Policy 5516 - *Student Hazing*);
- D. bullying (see Policy 5517.01 - *Bullying and Harassment*);
- E. kidnapping;
- F. physical attack;
- G. robbery;
- H. sexual offenses (including harassment, assault, or battery) (see Policy 2264 – *Nondiscrimination on the Basis of Sex in Education Programs and Activities* or Policy 2266 - *Nondiscrimination on the Basis of Sex in Education Programs or Activities (The Board's Policy and Grievance Procedures for Responding to Sexual Harassment Alleged to Have Occurred Prior to 8/1/2024)*);
- I. threat or intimidation; or
- J. fighting.

Investigation and Parental Notification of Hope Scholarship Program

Upon receipt of a report from a student of any of the incidents set forth herein, the Principal shall provide a copy of the report to the parent 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.

Within twenty-four (24) hours after receipt of the report, the Principal shall provide a copy of the report to the parent of the alleged offender and to the superintendent.

Upon conclusion of the investigation or within fifteen (15) days after the incident was reported, whichever occurs first, the District shall notify the parent of opportunities to enroll the student in another public school that has capacity, and notify the parent of the student's eligibility to apply for a scholarship to attend an eligible private school under F.S. 1002.394 and 1002.395.

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Title SCHOOL HEALTH SERVICES
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F.S. 381.00319
F.S. 381.0056
F.S. 349.495(7)
F.S. 394.463
F.S. 1001.42
F.S. 1002.20
F.S. 1002.22
F.S. 1003.22
F.S. 1003.225
F.S. 1006.064
F.S. 1011.62
F.S. 1003.453
F.A.C. 64F-6.002

2410 - SCHOOL HEALTH SERVICES

School Health Services

The School Board shall cooperate with the Clay County Health Department to address all school health matters as required by the School Health Services Act (F.S. 381.0056). The District, including the school health advisory committee, and the Clay County Health Department shall jointly develop a school health services plan approved by the Board. The Student Services Procedures Manual and the Student/Parent Elementary and Secondary Handbook should be referenced.

The school health services plan will describe the services to be provided, the responsibility for provision of the services, the anticipated expenditures to provide the services, and evidence of cooperative planning by the District, including the school health advisory committee, and the Clay County Health Department. Each school health advisory committee must, at a minimum, include members who represent the eight (8) component areas of the Coordinated School Health model as defined by the Centers for Disease Control and Prevention.

The Superintendent, in addition to the school health advisory committee, shall develop the school health services plan jointly with the Clay County Health Department and submit it to the Board for approval.

The school health services plan will be completed biennially and approved and signed by the Superintendent, Board Chairperson, Clay County Health Department medical director or administrator, and the Department of Health's district administrator. The school health services plan shall be reviewed each year for the purpose of updating the plan. Amendments shall be signed by the Superintendent and the Clay County Health Department medical director or administrator.

The school health services plan is to include, at a minimum, provisions for all of the following:

- A. health appraisal;
- B. records review;
- C. nurse assessment;
- D. nutrition assessment;
- E. a preventive dental program;
- F. vision screening;
- G. hearing screening;
- H. scoliosis screening at the appropriate age;
- I. growth and development screening;
- J. health counseling;
- K. referral and follow-up of suspected or confirmed health problems by the Clay County Health Department;
- L. meeting emergency health needs in each school;
- M. county health department personnel to assist school personnel in health education curriculum development;
- N. referral of students to appropriate health treatment, in cooperation with the private health community whenever possible;
- O. consultation with a student's parent or guardian regarding the need for health attention by the family physician, dentist, or other specialist when definitive diagnosis or treatment is indicated;
- P. maintenance of records on incidents of health problems, corrective measures taken, and such other information as may be needed to plan and evaluate health programs; except, however, that provisions in the plan for maintenance of health records of individual students must be in accordance with F.S. 1002.22;
- Q. health information which will be provided by the school health nurses, when necessary, regarding the placement of students in exceptional student programs and the reevaluation at periodic intervals of students placed in such programs;
- R. notification to the local nonpublic schools of the school health services program and the opportunity for representatives of the local nonpublic schools to participate in the development of the cooperative health services plan;
- S. a reasonable attempt to notify a student's parent, guardian, or caregiver if 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, including and subject to the requirements and exceptions established under F.S. 1002.20 (3) and F.S. 1002.33 (9), as applicable.

Reasonable attempt to notify means the exercise of reasonable diligence and care by the principal to make contact with the student's parent, guardian, or other known emergency contact whom the student's parent or guardian has authorized to receive notification of an involuntary examination. At a minimum, the principal must take the following actions:

1. Use available methods of communication to contact the student's parent, guardian, or other known emergency contact including, but not limited to, telephone calls, text messages, e-mails, and voicemail

messages following the decision to initiate an involuntary examination of the student;

2. Document the method and number of attempts made to contact the student's parent, guardian, or other known emergency contact, and the outcome of each attempt.

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

T. budget and staffing information;

U. number and levels of public and nonpublic schools and number of students served;

V. communicable disease policies;

W. immunization policies;

X. initial school entry health examination policy;

Y. health services reporting procedure;

Z. advisory committee activities and membership; and

AA. School District and county public health unit personnel responsible for coordinating health services.

The school health services plan will describe employing or contracting for all health-related staff and the supervision of all school health services personnel regardless of funding source.

Protocols for supervision of school health services personnel shall be described in the school health services plan to assure that such services are provided in accordance with statutory and regulatory requirements and professional standards. These shall be kept on file at the District and the Clay County Health Department.

Decisions regarding medical protocols or standing orders in the delivery of school health services are the responsibility of the Clay County Health Department medical director in conjunction with the Board, school health advisory committee, the District medical consultant, or the student's private physician.

Notice to Parents

At the beginning of the school year, the District will notify parents of each healthcare service offered at their student's school and of the option to withhold consent or decline any specific service in accordance with F.S. 1014.06.

COVID-19 Prohibitions

Neither the Board nor any Board agent or employee may:

- A. impose a COVID-19 vaccination mandate for students; or
- B. prohibit a student from attending school or school-sponsored activities, prohibit a student from 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-19.

Water Safety and Swimming Certification

Beginning with the 2022-2023 school year, each school shall provide information on the important role water safety education courses and swimming lessons play in saving lives to a parent who initially enrolls their child in the school or the student if the student is eighteen (18) years of age or older. The information will be provided electronically or in hard copy and must include local options for age-appropriate water safety courses and swimming lessons that result in a certificate indicating successful completion, including courses and lessons offered for free or at a reduced price.



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F.S. 1001.42
F.S. 1002.20
F.S. 1002.22
F.S. 1006.041
F.S. 1006.07
F.S. 1011.62

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.

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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| Book | Policy Project Revised |
| Section | 2000 Programs Cleaned |
| Title | SCHOOL COUNSELING |
| Code | po2411 |
| Status | From Neola |

2411 - SCHOOL COUNSELING

The School Board requires that a planned program of school counseling be an integral part of the educational program of the schools. In accordance with F.A.C. 6A-5.079, such a program may:

- A. assist students in academic advisement and planning to achieve their optimum growth;
- B. aid students in identifying options and making choices in career/vocational and post-secondary education;
- C. provide responsive mental health counseling services to students;
- D. supports the provision of resiliency education, civic and character education, and life skills education.

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Code po2412
Status From Neola
Legal F.S. 1003.01
F.A.C. 6A-6.03020

2412 - HOMEBOUND INSTRUCTION PROGRAM

The School Board may provide, pursuant to rules of the State Board of Education, homebound or hospitalized instruction to students who are unable to attend classes because of accident, illness, or disability.

A student is eligible for educational instruction through homebound or hospitalized services if the following criteria are met.

A physician licensed in Florida in accordance with F.S. Chapter 458 or 459, unless a report of medical examination from a physician licensed in another state is permitted in accordance with F.A.C. 6A-6.0331(3)(e), must certify:

- A. The student is expected to be absent from school due to a physical or psychiatric condition for at least fifteen (15) consecutive school days (or the equivalent on a block schedule), or due to a chronic condition for at least fifteen (15) school days (or the equivalent on a block schedule), which need not run consecutively; and
- B. The student is confined to home or hospital; and
- C. The student will be able to participate in and benefit from an instructional program; and
- D. The student is under medical care for illness or injury that is acute, catastrophic, or chronic in nature; and
- E. The student can receive instructional services without endangering the health and safety of the instructor or other students with whom the instructor may come in contact.

Applications must be approved by the Director of Exceptional Student Education or designee.

A parent, guardian, or primary caregiver must sign a parental agreement concerning homebound or hospitalized policies and parental cooperation. The District retains the right to schedule the time and place that homebound instruction will be provided.

The program of homebound instruction given to each student shall be in accordance with rules of the State Board of Education with such exceptions as may be recommended by the Individualized Education Plan Team. Procedures for the implementation and instructional services of this program may be found in the District's Exceptional Student Education Policies and Procedures manual.

Teachers shall hold a Florida teaching certificate appropriate for the level of instruction for which the assignment is made.



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| Book | Policy Project Revised |
| Section | 2000 Programs Cleaned |
| Title | TUTORING FOR CREDIT |
| Code | po2415 |
| Status | From Neola |

2415 - TUTORING FOR CREDIT

The School Board may grant credit for tutoring provided that procedures of this Board and State requirements are met in full. Tutoring for credit shall be limited to those students whose special needs cannot be met under Policy 2370, Educational Options.

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| Book | Policy Project Revised |
| Section | 2000 Programs Cleaned |
| Title | STUDENT PRIVACY AND PARENTAL ACCESS TO INFORMATION |
| Code | po2416 |
| Status | From Neola |
| Legal | <u>F.S. 1001.42</u> <u>F.S. 1002.22</u> <u>20 U.S.C. 1232g</u> <u>20 U.S.C. 1232h</u> <u>34 C.F.R. Part 98</u> |

2416 - STUDENT PRIVACY AND PARENTAL ACCESS TO INFORMATION

The School Board respects the privacy rights of parents and their children. No student shall be required, as a part of the school program or the District's curriculum, without prior written consent of the student (if an adult or an emancipated minor) or, if an unemancipated minor, his/her parents, to submit to or participate in any survey, analysis, or evaluation that reveals information concerning:

- A. political affiliations or beliefs of the student or his/her parents;
- B. mental or psychological problems of the student or his/her family;
- C. sex behavior or attitudes;
- D. illegal, anti-social, self-incriminating, or demeaning behavior;
- E. critical appraisals of other individuals with whom respondents have close family relationships;
- F. legally recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers;
- G. religious practices, affiliations, or beliefs of the student or his/her parents; or
- H. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program).

Further, parents have the right to inspect, upon request, a survey or evaluation created by a third party before the survey/evaluation is administered or distributed by the school to the student. The parent will have access to the survey/evaluation within a reasonable period of time after the request is received by the building principal.

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.

Additionally, parents have the right to inspect, upon request, any instructional material used as part of the educational curriculum of the student or used in a research or experimentation program in which the student is engaged. The parent will have access to the instructional material within a reasonable period of time after the request is received by the building

principal. The term instructional material means instructional content that is provided to a student, regardless of its format, including printed and representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or assessments.

The Board will not allow the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).

Parents have the right to inspect, upon request, any instrument used in the collection of personal information before the instrument is administered or distributed to the student. The parent will have access to the instrument within a reasonable period of time after the request is received by the building principal.

This section does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following: (1) college or other postsecondary education recruitment, or military recruitment; (2) book clubs, magazines, and programs providing access to low-cost literary products; (3) curricular and instructional materials used by elementary and secondary schools; (4) tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments; (5) the sale by students of products or services to raise funds for school-related or education-related activities; and (6) student recognition programs.

For purposes of this policy, the term "parent" includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).

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Title COMPREHENSIVE HEALTH EDUCATION
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Status From Neola
Legal F.S. 1003.42
F.S. 1003.453
F.S. 1003.46

2417 - **COMPREHENSIVE HEALTH EDUCATION**

Pursuant to State law, the School Board shall provide an evidence-based, medically-accurate comprehensive instruction on:

A. health education that addresses concepts of community health, consumer health, environmental health, and family life, including:

1. injury prevention and safety;
2. internet safety;
3. nutrition;
4. personal health;
5. prevention and control of disease;
6. substance use and abuse; and
7. prevention of child sexual abuse, exploitation, and human trafficking.

B. life skills that build confidence, support mental and emotional health, and enable students to overcome challenges, including:

1. self-awareness and self-management;
2. responsible decision-making;
3. resiliency;
4. relationship skills and conflict resolution;
5. understanding and respecting other viewpoints and backgrounds;
6. for students in grades 9 through 12, developing leadership skills, interpersonal skills, organizational skills, and research skills; creating a resume, including a digital resume; exploring career pathways; using State career planning resources; developing and practicing the skills necessary for employment interviews;

workplace ethics and workplace law; managing stress and expectations; and self-motivation.

- C. for students in grades 7 through 12, teen dating violence and abuse. This component will include, but is not limited to, the definition of dating violence and abuse, the warning signs of dating violence and abusive behavior, the characteristics of healthy relationships, measures to prevent and stop dating violence and abuse, and community resources available to victims of dating violence and abuse.
- D. for students in grades 6 through 12, an awareness of the benefits of sexual abstinence as the expected standard and the consequences of teenage pregnancy.
- E. for students in grades 6 through 12, the social, emotional, and physical effects of social media. This component must include, but need not be limited to, the negative effects of social media on mental health, including addiction; the distribution of misinformation on social media; how social media manipulates behavior; the permanency of sharing materials online; how to maintain personal security and identify cyberbullying, predatory behavior, and human trafficking on the Internet; and how to report suspicious behavior encountered on the Internet.

Additionally, the District shall notify parents of students of the availability of the Florida Department of Education's online instructional material.

The health education and life skills instruction and materials may not contradict the principles enumerated in F.S. 1003.42.

However, classroom instruction by school personnel or third parties on sexual orientation or gender identity may not occur in prekindergarten through grade 12 except when required by F.S. 1003.42 and F.S. 1003.46

This instruction shall enable students to master the standards set forth in the State academic standards.

Health education materials shall, at all times, reflect current theory, knowledge, and practice, and shall be evidence-based and proven effective. The materials shall be available for review at each school site.

Human Growth and Development

The key objectives of instruction shall be:

- A. directive teaching method;
- B. abstinence based
- C. family centered; and
- D. age appropriate.

These concepts are defined more fully as follows:

A. Directive Teaching Method

In instruction involving decision-making strategies, the teacher shall direct the student to choices of legal, ethical, and moral dimensions that will promote health, abstinence, self-control, character, self-esteem and maturity.

B. Abstinence-Based

1. Abstinence shall be the instructional approach to reducing destructive behaviors among students including early sexual involvement, and activities which result in sexually transmitted diseases, AIDS, and teenage pregnancy. Abstinence shall be presented in the classroom as a positive, practical, and that promotes self-control, character, and self-esteem.
2. When presented with a dual message, such as "abstinence is best, but contraception works for those who do not choose abstinence," teens are confused and/or the abstinence message is undermined by the contraceptive message. As opposed to this message, teachers shall instruct students that sexual activity among teens is not inevitable; nor irreversible. Teachers shall not initiate discussion or instruction of contraceptives. Student questions that deal with definitions of contraceptives may be answered, but must include the documented deficiencies with the definitions. No further contraceptive information shall be given unless and until an individual student's parent or guardian provides written permission for further depth of instruction for the individual student. If further instruction is requested, the student involved shall be instructed individually by another educator that is qualified to provide such information to the individual

student. Notwithstanding, the provisions of the above paragraph, with parent permission, teachers may present factual information about contraceptives to be taught in the following high school elective courses: Health II, Family Dynamics and Child Development. The factual information shall cover deficiencies, failure rates, and negative side effects. Students shall be made aware that sex outside of a monogamous marriage is risky behavior, therefore; abstinence is the expected standard. Instruction shall direct students to risk "elimination" rather than risk "reduction".

C. Family Centered

1. The irreplaceable foundation of the family, as the key unit of society; and parent/guardian involvement in the values formation of their children, shall be recognized by the instructor, making the family central to Human Growth and Development instruction.
2. Instruction shall emphasize the positive value of sexuality within the context of marriage. Using the directive teaching method, the instructor shall include the value of marriage and the family to society, and shall assist the student in an understanding of the role played by marriage and the family in supporting society.

D. Age Appropriate

All instruction, curriculum, and any supplemental resources shall be appropriate to the grade level and consistent with the values of the community. Curriculum objectives shall be implemented in a sequential program of instruction to meet the needs and developmental characteristics of the majority of students at any given grade level.

Teacher Role

- A. Instructors of Human Growth and Development shall transmit facts, and provide clear guidance and principles. These principles shall be based on core values (i.e., integrity, self-control, fairness, honesty and respect for authority, themselves, and others). Core values shall be taught as the basis for healthy behavior choices.
- B. Teachers shall recognize parents/guardians as the primary sex educators of their children and shall also recognize that parental guidance is essential and irreplaceable. All instructional materials, including teaching manuals, films, tapes, or other supplementary instructional material shall be available for inspection by parents and guardians.
- C. Teachers shall recognize that values consistent with those of the Clay County community have been and will be considered as part of the guidelines for determining the subject materials and curriculum regarding the Human Growth and Development instruction. Teachers shall encourage cooperation and communication among parents, community, and schools.
- D. Teachers shall present age-appropriate information about reproductive physiology and anatomy (in context with legal requirements, such as, the statutory rape laws, directive decision-making, interpersonal skills, parenting, and other critical influences in the student's life) in order to reduce early sexual activity and resulting consequences, such as pregnancy.
- E. Instruction shall include age-appropriate information about fetal development in order to sensitize students to one of the consequences of sexual activity.

Bannerman

Students enrolled in the Teenage Parent Program at R.C.Bannerman Learning Center will participate in pregnancy and parenting related curriculum in the topics of prenatal and postnatal health care, parenting skills, benefits of sexual abstinence, and the consequences of subsequent pregnancies, pursuant to F.S. 1003.54. Pregnant or parenting students and their children shall not be assigned to the program without annual consent from the student's parent or guardian or by direct consent from the adult student.

Parent Opt-Out

Any student whose parent makes a written request to the school principal shall be permitted to opt-out from the teaching of reproductive health or any disease, including HIV/AIDS, its symptoms, development, and treatment. A student so exempted may not be penalized by reason of that exemption and shall be given alternative assignments during this time.

Parents shall be notified of their right and the process to request an exemption. The District's website homepage includes a link for a student's parent to access and review the instructional materials, as defined in F.S. 1006.29, to teach the curriculum.

The District shall annually review and confirm that the information provided on the District's website homepage is accurate and up to date and shall notify parents by physical or electronic means any time revisions are made to such information.

Florida Department of Education Approved Materials

The Florida Department of Education shall approve all materials used by the Board to teach reproductive health or any disease, including HIV/AIDS, its symptoms, development, and treatment, as part of the courses referenced in F.S. 1003.42.

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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

2421 - **CAREER AND TECHNICAL EDUCATION**

The School 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.

Career and Technical Education (CTE) will provide experiences that complement and reinforce academic concepts that are particularly amenable to contextualized learning in a distinct career area and provide occupationally specific skills.

The Board shall provide career and technical education program offerings that include, but are 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. career education instruction which is designed to strengthen and integrate basic academic skills and career/technical skills and occupational awareness;
- D. accelerated career and technical programs such as career 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.

Additionally, 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. Alternatively, the District may consult with local workforce development boards, advisory committees, and

business groups to determine free or cost-effective methods to provide other career and industry networking opportunities during the school day for secondary students, and exposure for elementary and secondary students to a representative variety of industries, business, and careers.

Any effort to recruit students to participate in a particular career and technical program shall follow applicable State and Federal laws regarding the provision of information.

Career and technical education program offerings are available to middle and high school students.

Procedures for program operation in accordance with applicable labor laws are incorporated in the Florida Department of Education, Curriculum Frameworks, and Student Performance Standards.

Career and Professional Academies; Career-Themed Courses

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 Florida Commerce. Students completing career and professional academy programs must receive a standard high school diploma, the highest available industry certification, and opportunities to earn postsecondary credit if the academy partners with a postsecondary institution approved to operate in the state.

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 Florida Commerce. 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.

The Board expects career and professional academies offered in the District's high schools to provide rigorous and relevant career-themed courses that articulate to postsecondary-level coursework and provide students with the opportunity to receive a standard high school diploma, the opportunity to earn industry certification, the opportunity to attain the Florida Gold Seal CAPE scholarship, and the opportunity to earn postsecondary credit.

The Board further provides the opportunity for middle school students who successfully complete the curriculum of the career and professional academies or a career-themed course to transfer to a high school career and professional academy or a career-themed course currently operating within the District. Students who complete such courses at the middle school level shall have the opportunity to earn an industry certificate, high school credit, and participate in career planning, and business leadership development activities. The District shall inform students and parents during course selection for middle school of the career and professional academy or career-themed courses available within the District.

The Board encourages the Superintendent to forge partnerships with local businesses in the development of career and professional academies. These partnerships will help prepare students for the State's workforce needs, as well as help attract, expand, and retain targeted, high-value industry and jobs in the community.

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.

Each career and professional academy and career-themed course at the high school level must:

- A. 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 the relevance of the subject matter; enhance each student's capacity to excel; and include an emphasis on work habits and work ethics.
- B. 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 can provide opportunities for:

1. instruction from highly skilled professionals who possess industry-certification credentials for courses they are teaching;
 2. internships, externships, and on-the-job training;
 3. a postsecondary degree, diploma, or certificate;
 4. the highest available level of industry certification;
 5. maximum articulation of credits pursuant to F.S. 1007.23 upon program completion.
- C. promote and provide opportunities for students enrolled in a career and professional academy or a career-themed course to attain, at a minimum, the Florida Gold Seal CAPE scholarship pursuant to F.S. 1009.536.
- D. 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 Florida Commerce.
- E. 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. offer applied courses that combine academic content with technical skills.
- G. 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.

Each career and professional academy at the middle school level must:

- A. lead to careers in occupations aligned to the CAPE Industry Certified Funding List approved under rules adopted by the State Board of Education.
- B. integrate content from core subject areas.
- C. integrate career and professional academy or career-themed course content with intensive reading and mathematics pursuant to F.S. 1003.428.
- D. 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. provide instruction from highly skilled professionals who hold industry certificates in the career area in which they teach.
- G. provide personalized student advisement that includes a parent-participation component.

An adult student 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.

High School Credit for Career and Technical Student Organization Participation

Students in grades 6 through 12 may earn one (1) high school credit upon providing their school with verifiable documentation showing an accumulation of at least 135 hours of participation in career and technical student organization activities that occur outside of regular class time. The 135 hour threshold may be accumulated over the course of one (1) or more academic years.

- A. "Career and technical education program" means a comprehensive program of secondary instruction for which a curriculum framework has been adopted in accordance with F.A.C. 6A-6.0571.

- B. "Career and technical student organizations" or "CTSOs" are organizations for students enrolled in a career and technical education program that engages in career and technical education activities as an integral part of the instructional program to develop knowledge and skills by participating in activities, events, and competitions.

CTSO experiences and activities may count toward a high school credit if they provide the opportunity for students to apply academic and technical content to career experiences. These activities may include events, projects, competitions, and workshops, including preparation or practice time for such activities, supervised agricultural experiences, or any other activity that meets the definition of work-based learning under F.S. 446.0915, that is related to a CTSSO.

To apply for a high school credit, a student, including a transfer student, must provide the CTE Office with the following forms of verifiable documentation of demonstrable CTSSO participation no later than April 30th:

- A. dates/times the student participated in a career or technical student organization activity outside of regular class time;
- B. the name of the student organization;
- C. time sheets, sign-in sheets, or other time reports;
- D. a signed statement from the administrator or supervisor of the student organization verifying that the student has completed the reported number of hours.

Within thirty (30) school days of receipt of the student's documents related to CTSSO participation, the District's CTE Office/school administrator will review the documentation and notify the student if the student's CTSSO participation meets the requirements of F.A.C. 6A-1.09442 and this policy.

CTSSO advisors, CTSSO teachers, and other relevant District personnel will be provided training on the requirements to award credit for CTSSO participation.

Industry Certification in Industry-Certified Career Education Programs

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. within an industry that addresses a critical local or Statewide economic need;
- B. linked to an occupation that is included in the workforce system's targeted occupation list; or
- C. linked to an occupation that is identified as emerging.

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.

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 Florida Commerce, shall collaborate with the most appropriate regional business leadership board.

The Board authorizes the Superintendent to collaborate with one (1) or more neighboring counties in the development of the strategic plan, and, upon approval of the plan, to offer career-themed courses, as defined in F.S. 1003.493(1)(b), or a career and professional academy as a joint venture.

The strategic plan must describe in detail provisions for the efficient transportation of students, the maximum use of shared resources, access to courses aligned to State curriculum standards through virtual education providers legislatively authorized to provide part-time instruction to middle school students, and an objective review of proposed career and professional academy courses and other career-themed courses to determine if the courses will lead to the attainment of industry certifications included on the CAPE Industry Certified Funding List pursuant to rules adopted by the State Board of Education.

The strategic three (3) year plan shall be constructed and based upon the elements set forth in F.S. 1003.491. Each strategic plan shall be reviewed, updated, and jointly approved every three (3) years by the School District, regional workforce boards, economic development agencies, and State-approved postsecondary institutions.

Maintenance of Records for Workforce Education Programs Funded with State Appropriations

If the District receives State appropriations for workforce education, it will maintain adequate and accurate records including a system to record District workforce education funding and expenditures, to maintain the separation of postsecondary workforce education expenditures and secondary workforce education expenditures. These records will be submitted to the FLDOE in accordance with rules of the State Board of Education.

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F.A.C. 6A-23.010
The Fair Labor Standards Act of 1938 (as amended), 29 U.S.C. 201, et seq.
29 C.F.R. Part 570

2423 - SCHOOL-TO-WORK PROGRAM

Career and Tech Education Work Based Opportunities

The School Board strongly supports preparing students effectively for the world of work. The District will be able to provide students with the following learning experiences needed to develop career-related knowledge, attitudes, and skills as well as life-long learning skills:

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

The Superintendent is authorized to design and implement CTE Work Based Learning Opportunities , 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 partner with businesses to ensure that the District is participating actively in alliances, consortia, and/or committees that are coordinating Work Based Learning Opportunities initiatives in this area.

The Superintendent's procedures for the development and implementation of CTE work based learning opportunitiesactivities/programs need to provide for the following concerns of the Board:

- A. Grants are submitted to obtain planning and/or implementation funds from the State and other sources, when available and appropriate.

- B. 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. 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. 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. All activities/programs will comply with associated Board policies and District procedures as well as applicable Federal/State laws.

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.

Florida Work-Based Learning Opportunities

The Board shall provide that each student enrolled in grades 9 through 12 has access to at least one (1) work-based learning opportunity.

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.



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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

The school may establish co-curricular student clubs associated with national organizations such as the National Honor Society, student government, debate teams, intramural activities, Vocational Industrial Club of America (VICA), Future Business Leaders of America (FBLA), robotics teams, etc.

To be sponsored, these clubs must use students' knowledge of the curriculum to develop and expand their critical thinking, athletic ability, leadership ability, post-secondary educational, and employability skills. In order to remain members, student participants must continue to meet all of the eligibility criteria and 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.

II. Nonschool-Sponsored Student Clubs or Activities

Nonschool-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 Nonschool-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 nonschool-sponsored student clubs or activities can also be found in Policy 5730 - *Equal Access for Nonschool-Sponsored Student Clubs or Activities*. The school principal may assign a staff member to attend and supervise a nonschool-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.

Nonschool-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-school sponsored student clubs or activities fiscal accounts are not controlled or accounted for by the District.

Nondistrict-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.

III. Forming Clubs

All clubs should provide the school principal with the following information prior to the start of student participation:

- A. purpose and rationale for the club
- B. intended outcomes for students
- 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.

IV. 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.

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.

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2430.01 - SPECIAL PROGRAMS BY COMMUNITY VOLUNTEERS

The School Board believes in providing opportunities for students to enhance their education through a variety of appropriate co-curricular and extra-curricular activities. The Board recognizes that the community itself can be an excellent resource for such activities and welcomes the participation of community members who have special knowledge and skills that can add to the District's program.

In order to ensure that activities recommended by or involving community volunteers in an instructional role are in keeping with District philosophy and will help students better accomplish the learning goals of the District's program, the Superintendent shall establish procedures for the approval of any activity involving community volunteers. All volunteers are subject to a background check.

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2431 - **INTERSCHOLASTIC ATHLETICS**

The School Board recognizes the value of interscholastic athletics and the positive impact sports have on students. A program of interscholastic athletics for students is an integral part of the total school experience and benefits the community as a whole. The program should foster the growth of school loyalty within the student body as a whole and stimulate community interest in athletics. Participation in the District's interscholastic athletics programs by a student is a privilege, not a right.

The program of interscholastic athletics shall include all activities relating to competitive sport contests, games, events, or sport exhibitions involving individual students or teams of students from high schools in this District with those from a high school in another district.

Competition involving junior high schools and high schools shall be in accordance with Florida High School Athletic Association's (FHSAA's) bylaws.

Since the primary purpose of the interscholastic athletics program is to enhance the education of participating students as indicated in this policy, the Board places top priority on maximum student participation and the values of good sportsmanship, team play, and fair competition, rather than on winning, particularly at sub-varsity levels.

An interscholastic contest is any competition between organized teams or individuals of different schools in a sport recognized by the FHSAA, and therefore shall be subject to all regulations pertaining to such contests. The interscholastic athletics program shall be considered an essential part of the total school program and shall be under the principal's direction and general supervision. The principal shall select the personnel to direct and to act as coaches and advisors.

Interscholastic athletics should provide students the opportunity to exercise and test their athletic abilities in a context greater and more varied than that which can be offered by a school or the District alone. It should also offer an opportunity for career and educational development. The game activities and practice sessions should provide many opportunities to teach the values of competition and good sportsmanship.

Appropriate adult supervision consistent with Florida law shall be provided to all students. All supplemental/paid athletic coaches and sponsors of extra-curricular activities involving outdoor practices or events shall complete annual training in exertional heat stroke (EHS) identification, prevention, and response, including effective administration of cooling zones.

Eligibility and Regulation

All junior highs and high schools shall be members of the FHSAA and governed by its rules and regulations. All District students (including transfer students) shall satisfy the eligibility requirements established by the FHSAA, Florida law, Board Policy 2431.01 and Policy 5610.05.

Students enrolled in a private school, charter school, Florida Virtual School (FLVS), or educated at home are permitted to participate in a District interscholastic or intrascholastic sport and must fulfill the same academic and nonacademic requirements as any other participant.

A student who participates in an interscholastic or intrascholastic activity at a District public school and who transfers from that school during the school year must be allowed to continue to participate in the activity at that school for the remainder of the school year if:

- A. during the period of participation in the activity, the student continues to meet the requirements specified in F.S. 1006.15.
- B. the student continues to meet the same standards of acceptance, behavior, and performance which are required of other students participating in the activity, except for enrollment requirements at the school at which the student participates.
- C. the parents of the student participating in the activity provide for the transportation of the student to and from the school at which the student participates. The school the student attends, the school at which the student participates in the activity, and the Board are exempt from civil liability arising from any injury that occurs to the student during such transportation.

The Principal of each District school shall be responsible for determining each participant's eligibility pursuant to State law, the rules of this Board, and the bylaws of the FHSAA. Any school that allows an ineligible student to participate shall be subject to the penalties set forth in Florida law and the bylaws of the FHSAA. (see also Policy 2431.01)

The Superintendent shall develop appropriate administrative procedures for the operation of the interscholastic athletics program. Such regulations should provide for the following safeguards:

- A. Prior to any type of participation (including summer workouts, conditioning, open facilities, tryouts and/or practices),
 1. each participant shall submit to a thorough physical examination by an approved physician;
 2. and parents shall report any past or current health problems along with a physician's statement that any such problems have or are being treated and pose no threat to the student's participation. A physical evaluation shall be valid for a period not to exceed one (1) calendar year from the date of practitioner's signature.
- B. Any student who is found to have a health condition which may be life-threatening to self or others shall not be allowed to participate until the situation has been analyzed by a medical professional who has determined the conditions under which the student may participate. Pursuant to F.S. 1006.20(2)d, the District shall not be liable for any student with a health condition who has been authorized to play by the parent(s) if the parent(s) of the student objects in writing to the student undergoing a medical evaluation because such evaluation is contrary to his/her religious tenets or practices.
- C. Any student who incurs an injury requiring a physician's care is to have the written approval of a physician prior to the student's return to participation.
- D. In order to minimize health and safety risks to student-athletes and maintain ethical standards, school personnel, coaches, athletic trainers, and lay coaches should never dispense, supply, recommend, or permit the use of any drug, medication, or food supplement solely for performance-enhancing purposes.
- E. The Superintendent and District school Principals will require that sportsmanship, ethics, and integrity characterize the manner in which the athletic program is conducted and the actions of students who participate.
- F. Prior to any type of participation, each participant shall be cleared for participation by the athletic director.

In order to support the FHSAA's program to strengthen sportsmanship, ethics, and integrity, the Board commits itself to:

- A. adopt policies (upon recommendation of the administration) which reflect the District's educational objectives and promote the ideals of good sportsmanship, ethics, and integrity;

- B. reinforce the concept that participation in athletic activities are a privilege, not a right;
- C. attend and enjoy school athletic activities, serving as a positive role model and expecting the same from parents, fans, participants, coaches, and other school personnel;
- D. support and recognize participants, coaches, school administrators, and fans who display good sportsmanship; and
- E. recognize the value of school athletic activities as a vital part of education.

Participation by Agreement

An individual District public school student who is otherwise eligible to participate in interscholastic extra-curricular activities may either participate in any such activity at any public school in the District in which the student resides unless the activity is provided by the student's traditional public school. Such student must:

- A. meet the same standards of acceptance, behavior, and performance that are required of other students in extra-curricular activities at the school at which the student wishes to participate.
- B. before participation, register with the school the student's intent to participate in interscholastic extra-curricular activities as a representative of the school. The student must be able to participate in curricular activities if that is a requirement for an extra-curricular activity.

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. These penalties and sanctions may be applied by the FHSAA against a member school, student athletes, and coaches. In addition to FHSAA penalties and sanctions, District employees found to have engaged in the improper recruitment of a student athlete may be subject to disciplinary action, up to and including termination.

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 in accordance with Florida law and the FHSAA's Bylaws.



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| Book | Policy Project Revised |
| Section | 2000 Programs Cleaned |
| Title | PARTICIPATION BY TRANSFER STUDENTS |
| Code | po2431.01 |
| Status | From Neola |
| Legal | <u>Handbook and Bylaws of the Florida High School Athletic Association</u> <u>F.S. 1002.20</u> <u>F.S. 1006.15</u> <u>F.S. 1006.195</u> <u>F.S. 1006.20</u> |

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. move to a new residence;

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 and student meets all other eligibility requirements. A student cannot reside at more than one address, and only the student's current residence may be used for eligibility purposes. Evidence of a move are as follows but not limited to:

1. all personal belongings are moved from the former residence;
2. mail is received at the new residence;
3. all utilities are transferred to the new residence;
4. driver's license, voter registration and other forms of legal identification are changed to their new residence.

Forms of address verification – examples include, but are not limited to:

- a. homestead exemption information;
- b. utility bill, including service address;
- c. proof of purchase of home;
- d. current lease agreement.

B. student's program choice begins after 9th grade;

C. previous school of enrollment is categorized as a failing school;

D. student undergoes a necessary relocation beyond the student's or parent's control;

E. student established a separate household at a different address due to emancipation by marriage, court order, or reaching the age of majority and is totally financially independent;

F. student is a ward of the State and is required to relocate;

G. student must return to public school from private school due to financial hardship of the family;

H. reassignment by the Board;

I. the District office and the student's previous and new schools' principals certify that the transfer is in the best interest of the student, is not the result of disciplinary action, and is not the result of recruitment;

J. student is the child of a School District employee entitled to school choice;

K. any student who participated in fall football season at one school and then is approved transfer to a newly enrolled school per the District's enrollment policy, will be allowed to participate in spring football.

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 in accordance with Florida law and the FHSAA's bylaws.

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| Book | Policy Project Revised |
| Section | 2000 Programs Cleaned |
| Title | CONCUSSIONS AND HEAD INJURIES |
| Code | po2431.03 |
| Status | From Neola |

2431.03 - **CONCUSSIONS AND HEAD INJURIES**

It is the policy of the School Board that the Athletic Director provide the materials developed by the Florida High School Athletic Association (FHSAA) to educate coaches, student athletes, and parents/guardians of student athletes about the nature and risks of concussions and head injuries, including continuing to play after a concussion or head injury, before any student athlete is allowed to participate in any interscholastic athletic activity or practice for any school-sanctioned athletic team. Student athletes and their parents shall be required to sign EL3 before participating in any practice or interscholastic competition. Per the FHSAA rules and this policy, athletic directors shall issue clearance based on completion of the online training program provided by the FHSAA annually.

During any athletic season, a coach or licensed trainer who suspects that a student athlete may have sustained a concussion or head injury shall remove the student athlete from participation or competition at that time. For purposes of this policy, a "student athlete" is any student who tries out for or participates on any athletic team sponsored by the District. When a student athlete is removed from an interscholastic athletic activity or other competition, including any practice session, because of a suspected head injury or concussion, that student athlete may not return to the contest or the practice until written clearance to participate from a medical provider licensed in Florida has been provided.

An employee or a volunteer with current cardiopulmonary resuscitation (CPR), automated external defibrillator (AED), and first aid training shall be present at each athletic activity during and outside of the school year.

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Book Policy Project Revised
Section 2000 Programs Cleaned
Title NAME, IMAGE, AND LIKENESS (NIL) IN ATHLETICS
Code po2431.06
Status From Neola
Legal F.S. 1001.41
F.S. 1001.42
F.S. 1006.20
FHSAA Bylaws

2431.06 - **NAME, IMAGE, AND LIKENESS (NIL) IN ATHLETICS**

The School Board recognizes the rights of student-athletes to use and benefit from their name, image, and likeness (NIL) in various activities. However, students are still required to comply with Florida law, the rules of the State Board of Education, and the policies of the Board as they relate to the conduct of student athletes and the administration and financial control of the athletic program. Likewise, student athletes must comply with all applicable bylaws of the Florida High School Athletics Association (FHSAA). Failure to adhere to any of these laws, rules, and/or regulations may, among other things, impact the amateur status of a student athlete.

Prohibited NIL Activities

In accordance with FHSAA bylaws, student athletes:

- A. are prohibited from making any reference to and will not otherwise use or authorize others to use the uniforms, logos, mascots, insignia, or identifying marks of a District or FHSAA member school, the FHSAA, the National Federation of State High School Athletic Associations (NFHS), and/or any FHSAA, NFHS, or member school event, game, or championship when engaging in any NIL activity. Student athletes are prohibited from monetizing their NIL with the use of their school's uniform, equipment, logo, name, proprietary patents, products, and/or copyrights associated with a District or FHSAA member school, NFHS, and/or School District, either in public, print, or social media platforms.
- B. may not endorse or promote any third-party entities, goods, or services during school-/District-sponsored activities or FHSAA activities;
- C. may not make any reference to FHSAA, NFHS, school, or District accolades or championships in NIL activities for which they are compensated;
- D. are prohibited from engaging in any NIL activities involving the following categories of products and services:
 - 1. adult entertainment products and services;
 - 2. alcohol, tobacco, vaping, and nicotine products;
 - 3. cannabis products;

4. controlled substances;
5. prescription pharmaceuticals;
6. gambling, including sports betting, the lottery, and betting in connection with video games, online games, and mobile devices;
7. weapons, firearms, and ammunition;
8. political or social activism; and
9. NIL collectives.

NIL activities and agreements shall not be used to recruit student athletes to attend a particular school in order to participate in interscholastic athletics.

NIL Collectives

NIL collectives are independent entities, organizations, and groups that seek to direct or provide, either directly or indirectly, incentives to student athletes based on the student athletes' NIL. NIL collectives are independent from, and not affiliated with, the Board or District.

District Personnel

No District employee, athletic department staff member, or representative of a school's athletic interests as defined in FHSAA bylaws may form, direct, offer, provide, or otherwise engage in any activity outlined in FHSAA bylaws related to NILs and are subject to all prohibitions set forth therein.

Amateur Status and Other Implications

Student athletes engaging in NIL activities or entering into NIL agreements under FHSAA bylaws are solely responsible for determining whether their actions may impact their eligibility under the rules and regulations of the National Collegiate Athletic Association (NCAA), National Association of Intercollegiate Athletics (NAIA), National Junior College Athletic Association (NJCAA), and/or the governing body of the sport in which they may participate, and are encouraged to contact such organizations. Compliance with this policy does not ensure that a student athlete's amateur status or eligibility to participate under the rules of the governing body of their sport will not be impacted.

Student athletes are further encouraged to seek legal counsel and tax advice when contemplating their participation in an NIL activity or whether to enter into an NIL agreement.



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| Book | Policy Project Revised |
| Section | 2000 Programs Cleaned |
| Title | DRIVER EDUCATION |
| Code | po2432 |
| Status | From Neola |
| Legal | <u>F.S. 1003.48</u> |

2432 - DRIVER EDUCATION

The School Board shall offer a program of driver education to students in the secondary schools through Clay Virtual Academy. Secondary schools shall provide preferential enrollment to any student in the custody of the Department of Children and Families so long as the student maintains appropriate progress as required by the student's school.

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Book Policy Project Revised
Section 2000 Programs Cleaned
Title SUMMER PROGRAMS
Code po2440
Status From Neola
Legal F.S. 1001.43
F.S. 1002.53
F.S. 1002.61
F.S. 1008.25

2440 - **SUMMER PROGRAMS**

The School Board shall provide summer programs for students including, but not necessarily limited to, the following:

- A. ESE Students needing extended school year services ("ESY") as identified in their Individualized Education Plans ("IEP"). Summer ESY programs for each individual Exceptional Student Education ("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 grades students retained under 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. Credit recovery for students needing courses for graduation.
- D. 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. For students in this program, the coordinated screening and progress monitoring system must be administered by providers or the District two (2) times, with the first administration no later than the first ten (10) instructional days after a student's enrollment or the start of the summer program and the final administration occurring within the last ten (10) days of the summer program in accordance with State Board of Education rules.
- E. 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 as approved. The District may also choose to implement summer enhancement programs, contingent upon Board approval.

Transportation

The Board 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.



Book Policy Project Revised
Section 2000 Programs Cleaned
Title ADULT AND COMMUNITY EDUCATION
Code po2450
Status From Neola
Legal F.S. 1003.435
F.S. 1004.93
F.S. 1004.94
The Veterans Benefits and Transition Act - 2018 (38 USC Sections 3679, 3698(c)(1), (C), P.L. 115-407, Sections 103-104).

2450 - ADULT AND COMMUNITY EDUCATION

With regard to adult/community education, the School 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.

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*.

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Book Policy Project Revised
Section 2000 Programs Cleaned
Title ALTERNATIVE SCHOOL PLANS/PROGRAMS
Code po2451
Status From Neola
Legal F.S. 1003.01
F.S. 1003.53
F.S. 1006.13
F.A.C. 6A-6.0524
F.A.C. 6A-6.0527

2451 - ALTERNATIVE SCHOOL PLANS/PROGRAMS

The School Board recognizes that the regular school program may not be appropriate for all students and that certain students may need special programs to help them overcome attendance, academic, and/or behavioral problems.

The Board authorizes the Superintendent to provide alternative education programs for students who, in the opinion of the Superintendent, will benefit from this educational option. Participation in an alternative program does not exempt the student from adherence to school attendance rules or the Code of Conduct.

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Book Policy Project Revised

Section 2000 Programs Cleaned

Title EXCEPTIONAL STUDENT EDUCATION

Code po2460

Status From Neola

Legal F.S. 1001.41
F.S. 1001.42
F.S. 1002.20
F.S. 1003.01(3)
F.S. 1003.4156
F.S. 1003.4282
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
F.A.C. 6A-1.09963
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

The School Board, as an expression of its commitment to provide a free, appropriate, public education for students with disabilities in accordance with State and Federal laws, rules, and regulations, shall develop and implement the District's Exceptional Student Education Policies and Procedures approved by the Florida Department of Education (FLDOE). 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, readopted, and submitted to the FLDOE.

A. Child Identification

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

B. Procedural Safeguards

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

C. Multifaceted 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 multifaceted evaluation for students with disabilities by ensuring that:

1. children are assessed in their native language or other mode of communication;
2. tests are used for their validated purposes;
3. children are evaluated in all areas related to their suspected disability;
4. testing is conducted by a multidisciplinary team;
5. testing materials and procedures are not racially or culturally biased;
6. tests are administered by trained personnel qualified in accordance with all Federal regulations and State standards;
7. tests are administered in conformance with the instructions provided by the producer;
8. medical evaluation, when required as part of the multifaceted evaluation, shall be provided at no cost to the parent by a licensed physician designated by the Superintendent or his/her designee, when other no-cost resources are not available.

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

D. Individualized Education Program

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

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

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

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

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

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

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

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

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

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

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

3. speech-language pathologists licensed under F.S. 468.1185;
4. occupational therapists licensed under part III of 379 Chapter 468;
5. physical therapists licensed under Chapter 486;
6. psychologists licensed under Chapter 490; and
7. clinical social workers licensed under Chapter 491.

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

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

E. Least Restrictive Environment

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

F. Confidentiality of Data

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

G. Due Process

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

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

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

H. Surrogate Parent

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

I. Testing Programs

Students with disabilities shall participate in local and State-wide testing programs to the maximum extent appropriate. Individual exemptions and/or waivers shall be granted only as permitted under Florida law and State Board of Education rules. Exceptional students with disabilities shall have access to testing sites.

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

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

A parent who disagrees with the Commissioner's denial of a requested extraordinary exemption may request an

expedited hearing before DOAH pursuant to F.S. 1008.212.

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

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

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

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

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 an exceptional student has been placed in a private residential care facility, the receiving school district shall, within ten (10) business days, review the student's IEP and shall:

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

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



Book Policy Project Revised
Section 2000 Programs Cleaned
Title RECORDING OF IEP TEAM MEETINGS
Code po2461
Status From Neola
Legal 34 C.F.R. 300.322
34 C.F.R. 300.501
F.S. 1003.57
F.A.C. 6A-6.03311

2461 - RECORDING OF IEP TEAM MEETINGS

The recording of IEP Team meetings is prohibited unless a parent, authorized representative of a parent, or IEP team member, is unable to understand or meaningfully participate in the IEP process or the planning of the relevant student's education due to a disability, language barrier, or some other impairment.

- A. If a parent believes that recording an IEP Team meeting is necessary, s/he should notify the Principal in writing, preferably at least two (2) school days before the IEP Team meeting, of his/her desire to record the meeting and the reason the recording is required. The Principal will notify the parent at least one (1) school day before the meeting if s/he intends to grant or deny the parent's request to record the meeting.
- B. If the District representative denies the request, s/he will state in writing the reasons for the denial. Authorized exceptions to the general prohibition against the recording of IEP Team meetings involve situations when a parent, or authorized representative of a parent, or other IEP Team member, is unable to understand or meaningfully participate in the IEP process or the planning of the relevant student's education due to a disability, language barrier, or some other impairment. If a parent is permitted to record the meeting, s/he must use his/her own recording device and the District will similarly record the meeting.

For purposes of this policy, a recording is defined as the capture of voices, and other ambient sound electronically, digitally, or by any other means for the purpose of retrieval and review.

Video recording an IEP Team meeting is strictly prohibited.

The requirements of this policy shall not be interpreted to be in conflict with the provisions of Policy 5136 - *Wireless Communication Devices* as it pertains to recordings. Moreover, the requirements of this policy shall not be interpreted to extend to school-sponsored public events where there can be no expectation of privacy. A school-sponsored public event is any school-related activity, whether free or at which an admission fee is charged, that members of the public may attend. These include, but are not limited to, athletic competition, plays, musical performances, awards ceremonies, and graduation. See Policy 9160 - *Public Attendance at School Events* for additional information about restrictions on recording at such events.

If the District audio records an IEP Team meeting, the resulting recording shall become a part of the student's educational record and will be maintained in accordance with State and Federal law.



Book Policy Project Revised

Section 2000 Programs Cleaned

Title SELECTION AND ADOPTION OF INSTRUCTIONAL MATERIALS

Code po2520

Status From Neola

Legal F.S. 119.071
F.S. 212.183
F.S. 1001.215
F.S. 1002.22
F.S. 1003.485
F.S. 1006.28
F.S. 1006.28 through 1006.42
F.S. 1006.40
F.S. 1008.22
F.S. 1008.25(5)(a)
F.S. 1008.25 (5)(c)
F.S. 1014.05
F.A.C. 6A-6.03028
F.A.C. 6A-7.0713
F.A.C. 6A-7.0715
34 C.F.R. Part 300

2520 - **SELECTION AND ADOPTION OF INSTRUCTIONAL MATERIALS**

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

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

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

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

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

Certification by Superintendent

The Superintendent shall annually provide notice to the Department of Education of the State-adopted instructional materials that will be requisitioned for use in the district, including the District's plan for use of the materials.

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

By August 1 each year, the Superintendent will certify to the Commissioner of Education 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, 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.

Adoption of Instructional Materials

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

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

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

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

Publication on Website of List of Instructional Materials and Process to Limit Student Access

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

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

School Library Media Centers and Reading Lists

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

Procedure

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

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

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

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

The procedure for developing library media center and reading list collections will be posted on the District's website.

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

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

- A. identify the type of material maintained in the library media center by category, such as books, ebooks, periodicals, and videos;
- B. list, at a minimum, the following information:
 - 1. the title and author for books and ebooks;
 - 2. the name or title for periodicals and videos; and,
 - 3. the title for any other material maintained in the media center.
- C. Books and ebooks must be searchable by, at a minimum, author and title. All other materials must be searchable by, at a minimum, title.

Purchase of Instructional Materials

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

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

The Superintendent shall approve these purchases.

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

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

Replacement and Purchase of Instructional Materials by Students/Parents

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

A student or their parent(s) may purchase a copy of the designated course instructional materials for the District's purchase price, including shipping.

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

Free School-Related Instructional Materials

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

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

New Worlds Reading Initiative

The New Worlds Reading Initiative, created by the Florida Department of Education, provides high-quality, free books directly to prekindergarten through grade 5 students who are not yet reading on grade level, who score below grade level on the most recent Statewide, standardized English Language Arts Assessment (ELA), 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, or score below a level 3 on the most recent state-wide assessment

The School District must notify parents of students that meet the criteria (F.S. 1003.485(b)) that the student is eligible to receive books at no cost through the New Worlds Reading Initiative and provide parents with the application. Eligible students upon enrollment and at the beginning of each school year are provided options for specific book topics or genres in order to maximize student interest in reading. The District must coordinate monthly book deliveries with the program administrator beginning no later than October and continuing through at least June. The District must participate in the initiative by partnering with local nonprofit organizations and raising awareness by using marketing materials provided by the program administrator. A student's eligibility for the initiative continues until promotion to grade 6 or until the parent opts out of the initiative.

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

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

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



Book Policy Project Revised
Section 2000 Programs Cleaned
Title CHALLENGES TO ADOPTION OR USE OF INSTRUCTIONAL, LIBRARY, OR READING LIST MATERIALS
Code po2522
Status From Neola
Legal F.S. 119.071
F.S. 212.183
F.S. 1001.215
F.S. 1002.22
F.S. 1003.485
F.S. 1006.28
F.S. 1006.28 through 1006.42
F.S. 1008.22
F.S. 1008.25(5)(a)
F.S. 1008.25 (5)(c)
F.S. 1014.05
F.A.C. 6A-1.094126
F.A.C. 6A-6.03028
F.A.C. 6A-7.0714
34 C.F.R. Part 300

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

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

- A. parent of a student in the District; or
- B. resident of the county.

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

Contest of School Board's Adoption of Instructional Materials

Filing a Petition

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

Timeframe for Hearing

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

Hearing Officers

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

Procedures for Hearings

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

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

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

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

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

Parents or residents of the county may object to the use of a specific instructional material in the classroom, made available in a school or classroom library, or included on a reading list, based on the criteria set forth in F.S. 1006.28(2)(a)2. or F.S. 1014.05(1)(c). A resident of the county who is not the parent or guardian of a student with access to School District materials may not object to more than one (1) material per month in accordance with State Board rules.

Introduction

This policy outlines the information related to challenged library materials, including reconsideration and/or review, in the District.

This policy ensures that all parents have informed consent regarding the appropriate access level for their students in checking out books from the school library.

All challenged titles that violate statute will be removed in compliance with Florida law. Challenges to titles that are without merit will be dismissed. Challenges to titles that are found to have mature themes will not be removed from District collections. Such titles will either be flagged for particular grade bands or will require additional parental consent as selected on the Library Book Access form.

****Disclaimer****

Please note that even though the media specialists are proactive in ensuring that students check out age appropriate books, there are books in the library that range in interest levels. Both from a reading level and subject content, the appropriateness of individual titles are unique to each child's ability and family values. Books in the library may contain content that is not appropriate for all ages including the topics or themes listed in the community standards below.

Terms and Definitions

For purposes of this policy, "parent" means a parent of a student enrolled in the District's schools. "Resident" means a person residing in the county who has maintained their residence in Florida for the preceding year, has purchased a home that is occupied by them as their residence, or has established a domicile in Florida pursuant to F.S. 222.17. A "petitioner" means a parent or guardian of a child enrolled in the District, an employee of the District, or a resident of Clay County who objects to a book in a library collection.

The terminology "library material" is used in this document to refer to books in the school library and digital media (including but not limited to videos, DVDs, sound recordings, periodicals, computer software, or other electronic media.)

Parental Rights Regarding Libraries

As parents are the ultimate decision maker for their child(ren), the District strongly supports a parent's right to determine titles that are appropriate or inappropriate for their child to read. At the start of each school year, parents must decide if their child has permission to check out titles from the school's collection. Parents can also elect to receive a daily email in order to remain updated on their child's library activity.

The District recognizes that each family views book subject matter and content differently. Book titles vary in subject matter and content. To ensure that parents approve of their child accessing titles with more mature content, titles flagged as mature will require parents to select the Unlimited Library Access option on the Secondary Library Book Access Level form.

Petitioner's Responsibilities

The petition must be made in writing on the prescribed form, be signed by the parent or resident, AND include the required contact information based on the criteria set forth in F.S. 1006.31(2) or 1006.40(3)(d). A Petitioner who does not complete and return the form receives no further consideration.

Request for Review and Consideration

The District shall handle complaints regarding the reconsideration of Library Materials. A Petitioner (a parent or guardian of a child enrolled in the District, an employee of the District, or a resident of Clay County) may object to the library material by filing the District's Specific Material Objection Form 6A-7.0714 found on the Board's website.

The complaint must be sent to the Supervisor of Instructional Resources for processing. The District Library Media Specialist notifies the school media specialists of the challenged library material. If a school library has a copy of the Challenged title, the media specialist has three (3) working days to remove the title from the school shelves to a secure location. The title is not removed from the collection catalog at that time.

Community Standards

The Board approved community standards will be used to review materials that do not violate F.S. 847.012, and take into consideration the standards used to determine the propriety of the material including (F.S. 1006.34(2)(b)):

- A. The age of the students who normally could be expected to have access to the material.
- B. Materials must be suited to student needs and their ability to comprehend the material presented.
- C. The consideration of the broad racial, ethnic, socioeconomic, and cultural diversity of the students of this State.

The following community standards will be applied to any title that does not violate Florida Chapter 847.012, which requires that such titles must be removed. These community standards will also apply to purchasing guidelines of library materials. See appendix in procedures manual.

The Board approved community standards are to help ensure that parents are able to make more fully informed decisions about what their student is reading and is considered appropriate by each parent.

To assist in this, any challenged title that is found to contain subject matter or content that meets the criteria listed below would be flagged as mature. Those titles will not be removed from the collection but would require additional parental consent in order for a student to access that title.

- A. profanity/obscene language
- B. elementary - no crude profanity, racial, or religious slurs
- C. junior high - limited profanity, racial, or religious slurs
- D. high - no pervasive use of racial slurs, or crude or excessive profanity
- E. horror (descriptive of pervasive/gruesome behavior arousing feelings of extreme fear, shock, or disgust)
- F. violence (intense behavior/morbid behavior involving physical force intended to hurt, abuse, damage/torture, kill someone, animal cruelty)
- G. glorification of weapons (belief or action of describing a weapon as admirable; ex: person parading a gun around the street, non ex: military parade with armed personnel)
- H. glorification of suicide, self-harm, or mental illness (belief or action that these are admirable; ex: character bragging to others that he/she cut his/her wrist; non ex: characters dealing with a friend who committed suicide)
- I. glorification of drug, alcohol, or tobacco use by minors. (belief or action that these are admirable or more important than they truly are; ex: character of minor age continuously using illegal drugs; non ex: a character of minor age referring to his parent as a drug/alcohol addict)
- J. gender theory, medical transition
- K. sexual content that is not F.S. 847.012

Statutory Compliance Team

- A. Within seven (7) working days of receiving the complaint, the district team of the Chief Academic Officer, the Supervisor of Instructional Resources, and the District Media Specialist will pre-screen the requests returning meritless challenges to the petitioner, applying board approved community standards, and removing those that fall under violation of F.S. 847.012. Then the Supervisor of Instructional Resources will advise the Statutory Compliance Team (SCT) of the remaining requests.
- B. The SCT includes eight (8) members, both District employees and parents. The District members should include three (3) of the following: the Supervisor of Instructional Resources, the Chief Academic Officer, the District Library Media Specialist, and School-based Media Specialists. The parents will be appointed by each Board member and may be a representative from each Board member's district. The SCT shall establish a quorum at each meeting, which consists of at least two (2) out of three (3) District employees and three (3) out of five (5) parent members. The SCT may meet in person and/or virtually.
- C. Within a reasonable amount of time, the Statutory Compliance Team (SCT) will review each submission. The committee retains the right to do any of the following:
 - 1. Based upon its own review, recommend immediate and permanent removal of materials that violate F.S. 847.012, or other pertinent Florida statute or are determined to contain content that is obviously pornographic or inappropriate for the grade level or age group for which the material is used; or
 - 2. Reject or deny and return a petitioner's request if (a) the material in question obviously does not meet the aforementioned criteria or violate the aforementioned statutes, (b) is a meritless complaint, or (c) complains of materials which have been previously reviewed, have been determined to be appropriate for the grade level or age group for which the material is used and upon which approval has been given. This decision is

not appealable; the Petitioner may resubmit their request for reconsideration in a format which corrects the prior deficiencies (if correctable); or

3. The SCT shall use board approved community standards to review materials that do not violate F.S. 847.012, to determine if the library material should be returned to the collection or designated as parental advisory status.
4. Regardless of any interpretation of the preceding paragraphs to the contrary, a Challenge may be dismissed by the Chief Academic Officer of the district if it is determined by him/her that the Challenge is meritless, fails to comply with any provision set forth above, or is a duplicate of a Challenge filed by the same or a different individual.
5. Petitioner may appeal Statutory Compliance Team decision as noted in the Appeals Section.

Appeals

The Petitioner may appeal any Final Decisions of the Superintendent's designee, which are based on the Statutory Compliance Team or his/her own review, and which Final Decisions are or will be forwarded to the Board for final approval.

- A. Within ten (10) calendar days of the Superintendent's Designee's decision, the Petitioner shall file with the Superintendent's office a request for appeal. This appeal can be accessed on the district's website and is submitted using the Google form document.
- B. Upon receipt of the Request for Appeal, the office of the Superintendent will mail a Notice of Board action to the Petitioner which states the date of the Board meeting at which the Final Decision will be considered by the Board.
- C. It is understood that this vote is not a Board endorsement of the content or subject matter, but a vote to state that the law and policy have been followed.
- D. In considering these matters, the Board shall be sitting as a quasi judicial body, accordingly, and pursuant to F. S. 286.0114(3)(d), speakers shall be allowed to address the Board on this matter.
- E. All decisions of the Board are final.

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|---------|------------------------------|
| Book | Policy Project Revised |
| Section | 2000 Programs Cleaned |
| Title | COPYRIGHTED WORKS |
| Code | po2531 |
| Status | From Neola |
| Legal | <u>17 U.S.C. 101 et seq.</u> |

2531 - **COPYRIGHTED WORKS**

The School Board directs its staff and students to use copyrighted works only to the extent that the law permits. The Board recognizes that Federal law applies to public school districts and the staff and students must, therefore, avoid acts of copyright infringement under penalty of law.

No employee shall duplicate any materials, which are copyrighted or otherwise violate any section of the Copyright Law of the United States. A violation of this policy may result in action against the employee by the federal government and/or school board

Because the Board hosts a website and stores information on it at the direction of users, it is classified as an on-line service provider for copyright purposes. In order to limit the Board's liability relating to material/information residing, at the direction of a user, on its system or network, the Superintendent will annually appoint an individual as the agent to receive notification of claimed infringement. A link to the agent's name, mailing address, telephone number, fax number, and e-mail address shall appear on the home page of the Board's website. Such contact information, along with the appropriate filing fee, shall also be provided to the Copyright Office of the Library of Congress.

The shall be responsible for investigating and responding to any complaints.

See also Policy 7540.08 - *Artificial Intelligence (AI)*.

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Book Policy Project Revised
Section 2000 Programs Cleaned
Title RESEARCH AND EVALUATION
Code po2605
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Legal [F.S. 1008.34](#)
[F.S. 1008.345](#)
[F.S. 1014.05](#)

2605 - **RESEARCH AND EVALUATION**

The School Board believes that effective education includes proper evaluation of the results produced from the educational resources provided by the community and the government. As the governing body of the District, the Board has the responsibility for assessing how well goals are being accomplished.

The Superintendent may develop systematic and specific administrative procedures for conducting research and program evaluations. The design of these studies will include:

- A. Clear statements of expectations and purposes for each program coupled with specifications of how their successful achievement will be determined.
- B. Provisions for staff, resources, and support necessary to achieve each program's purposes.
- C. Evaluation of each program to assess the extent to which each program's purposes and objectives are being achieved.
- D. Recommendations for revisions and modifications needed to better fulfill expectations and purposes.
- E. The right of a parent to opt out of any District-level data collection relating to their minor child that is not required by law.

The Superintendent shall maintain a schedule of assessment activities and program evaluations and shall make periodic evaluation reports to the Board. Findings of the assessment program will be used to evaluate the progress of students and the effectiveness of the curriculum; and/or the effectiveness of the school/delivery system.

The Superintendent shall recommend improvements in the educational program annually, based on District evaluation.

The Superintendent shall maintain a systematic accountability plan for all schools. The plan shall annually evaluate each school on performance indicators. These indicators shall include student performance outcomes and other areas designed by the Superintendent.

The Superintendent shall develop and update as needed administrative procedures to implement this policy.



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2623 - STUDENT ASSESSMENT

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

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

The Board shall require the following:

- A. mandatory participation by all eligible students as defined by State Board of Education rules;
- B. industry certification examinations, national assessments, and Statewide assessments offered by the District be made available to all Florida Virtual School students in the District;

- C. industry certification examinations, national assessments, and Statewide assessments be taken at the student's regularly assigned school unless an alternative site is mutually agreed to by the District and the Florida Virtual School or authorized contractor;
- 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 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 interventions to the student until the deficiency is corrected.

Statewide Standardized Assessment

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

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

Scheduling of Assessments

- A. The Board will establish schedules for the administration of any Statewide, standardized assessments and District-required assessments and approve the schedules as an agenda item at a Board meeting. The Board will publish the testing schedules on its website using the Department of Education's uniform calendar with the 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 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, the coordinated screening and progress monitoring system under F.S. 1008.25, and District-required local assessments. The Board will secure written consent from a student's parent before administering District-required local assessments that, after applicable Statewide, standardized assessments and coordinated screening and progress monitoring are scheduled, exceed the five percent (5%) test administration limit for that student. The five percent (5%) test administration limit for a student may be exceeded if necessary to

provide test accommodations that are required by an IEP or are appropriate for an English language learner who is currently receiving services in the District's English language learner program.

Assessment Preparation

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

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

Students with Disabilities

A. Participation in Statewide Standardized Assessments with or without Accommodations

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

"Accommodations" are defined as adjustments to the presentation of the Statewide standardized assessment questions, methods of recording examinee responses to the questions, scheduling for the administration of a Statewide standardized assessment to include amount of time for administration, settings for administration of a Statewide standardized assessment, and the use of assistive technology or devices to facilitate the student's participation in a Statewide standardized assessment.

Accommodations that negate the validity of a Statewide standardized assessment are not allowable.

The provision of accommodations for students with disabilities shall be provided in accordance with section 4 (a) through (e) of F.A.C. 6A-1.0943 and applicable State and Federal laws.

B. Florida Alternate Assessment

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

The alternative assessment program is designed for a student with a significant cognitive disability and includes the Florida Standards Alternate Assessment (FSAA) - Performance Task and the FSAA - datafolio assessments. The decisions of whether a student is eligible to participate in the alternative assessment program and whether the student should participate in the FSAA - Performance Task or FSAA - datafolio assessments is determined by the student's IEP team and delineated on the student's IEP. 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 shall be granted an extraordinary exemption from the administration of the assessment. A learning, emotional, behavioral, or significant cognitive disability or the receipt of services through the homebound or hospitalized program is not, in and of itself, an adequate criterion for the granting of an extraordinary exemption.

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

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

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

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

D. Exemption Options for Students with a Medical Complexity

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

Test Administration and Security

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

Board employees, such as education paraprofessionals, licensed, certified instructors, or education services officer test administrators as described in F.S. 1008.23 may administer and proctor Statewide, standardized assessments or assessments associated with Florida approved courses under F.S. 1003.499. All test administrators and proctors for the Statewide assessments will be trained according to rules of the State Board of Education before performing such duties.

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

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

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

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

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2800 - EDUCATIONAL SERVICES FOR STUDENTS IN DEPARTMENT OF JUVENILE JUSTICE EDUCATION PROGRAMS

The School Board shall negotiate a cooperative agreement with the Department of Juvenile Justice (DJJ) on the delivery of educational services to students under the jurisdiction of the DJJ and placed in DJJ education programs located in the District. However, the Board is not required to provide more services than can be supported by the funds generated by students in DJJ education programs located in the District.

Pursuant to State law, the Board shall provide, or contract for, appropriate educational assessments and an appropriate program of instruction and special education services for students in a DJJ education prevention, day treatment, residential, or detention program located in the District. Any such contract for juvenile justice education programs shall be in writing between the Board and the provider and shall meet the provisions of Florida law. Provision shall be made for each student in a DJJ education program to participate in basic, Career and Professional Education (CAPE), and exceptional student programs as appropriate.

As required by State law, school programming in a DJJ education program shall be made available during the juvenile justice school year, and the educational services shall be provided at times of the day most appropriate for juvenile justice programs. In addition, the educational program shall provide instruction based on each student's individualized transition plan, assessed educational needs, and the education programs available in the school district in which the student will return.

Participation in the program by students of compulsory school attendance age as set forth in State law and Policy 5112 shall be mandatory. All students of noncompulsory school attendance age who have not received a high school diploma or its equivalent shall participate in the educational program, unless the student files a formal declaration of his/her intent to terminate school enrollment pursuant to State law and is afforded the opportunity to take the high school equivalency examination and attain a Florida high school diploma before release from a juvenile justice education program.

An individualized progress monitoring plan shall be developed for all students not classified as exceptional education students upon entry in a juvenile justice education program and upon reentry in the School District. The progress of students who are classified as exceptional education students shall be monitored in accordance with their Individualized Educational Plan (IEP).

As prescribed by State law, the District shall maintain an academic record for each student enrolled in a juvenile justice education program.