



Book: Local APs for Update

Section: Vol. 24, No. 1, July 2023

Title: Revised Procedure - Vol. 24, No. 1, July 2023 - SCHOOL SAFETY

Number: ap8405

Revised Procedure - Vol. 24, No. 1

8405 - SCHOOL SAFETY

The School Board will develop and implement a plan of corrective action in order to reduce the rate of weapon-related incidents and violent criminal offenses that occur in or on school grounds (i.e., in or on District buildings, grounds, and bus transportation to and from school, District-sponsored activities and designated bus stops) and/or result in students being removed from the school. The plan will be developed within twenty (20) days of the school being designated as persistently dangerous and consider corrective action including, but not limited to, the following:

hiring additional personnel to supervise students in common areas;

increasing instructional activities in areas such as conflict resolution;

working with law enforcement officials to identify and eliminate gang-related activities;

in-service training of teachers and administrators regarding the consistent enforcement of school discipline rules and policies;

limiting access to campus;

hiring additional security personnel and security equipment.

Upon completion and implementation of the plan of corrective action, the Board will apply to the State Board of Education to have the school removed from the list of persistently dangerous schools. However, should the school remain on the list, students will be provided with the opportunity to transfer to a safe school in accordance with Policy 5113 and AP 5113.

Timeline

The "Florida-specific behavioral threat assessment instrument" is scheduled to be active by August 1, 2023.

The "State-wide behavioral threat management operational process" is scheduled to be active by December 1, 2023.

The "threat management portal" is scheduled to be active by August 1, 2025.

F.S. 1001.212

F.S. 1001.43

F.S. 1002.20

P.L. 107-110

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Legal References

F.S. 1001.212

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Book: Local Policies for Update
Section: Vol. 24, No. 1, July 2023
Title: Revised Policy - Vol. 24, No. 1, July 2023 - INFORMATION SECURITY
Number: po8305

Revised Policy - Vol. 24, No. 1

8305 - INFORMATION SECURITY

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

Data/information collected by the District shall be classified as

confidential,

controlled, or

published.

Data/Information will be considered controlled until identified otherwise.

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

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

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

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

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

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

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

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

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

In addition, the District shall take steps to ensure that contracted providers of online educational products that are offered to K-12 students comply with the Student Online Personal Information Protection Act in accordance with F.S. 1006.1494. The District shall notify contracted service providers when a student withdraws from the District so that the provider can delete the student's personal identifying information within the required ninety (90) days in accordance with State law and State Board of Education rules.

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

F.S. 1006.1494

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Book: Local Policies for Update

Section: Vol. 24, No. 1, July 2023

Title: Revised Policy - Vol. 24, No. 1, July 2023 - STUDENT RECORDS

Number: po8330

Revised Policy - Vol. 24, No. 1

8330 - STUDENT RECORDS

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

Definitions

"Education records" means records that are directly related to a student and that are maintained by the District or a party acting for or on behalf of the District, as defined in 20 U.S.C. Section 1232g(a)(4).

"Eligible student" refers to students who are eighteen (18) years of age or older, or who are enrolled in a postsecondary institution, regardless of age.

"Parent" or "parents" includes parents or guardians of students who are or have been in attendance at a school or institution.

"Personally identifiable information" or "PII" means information that can be used to distinguish or trace a student's identity either directly or indirectly through linkages with other information, as defined in 34 CFR §99.3. PII includes, but is not limited to, direct identifiers (such as a student's or other family member's name), indirect identifiers (such as a student's date of birth, place of birth, or mother's maiden name), and other personal identifiers (such as a student's social security number or Florida Education Identifier (FLEID))

number). PII also includes information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

“Student” means any individual who is or has been in attendance in a District school and regarding whom the District maintains education records.

“Therapeutic treatment plan” means a plan that identifies the mental health diagnosis, or condition, the therapy or intervention goal(s), the type of school-based mental health intervention, and the school-based mental health services provider responsible for providing the mental health intervention or therapy.

“Therapy progress notes” means notes maintained by a school-based mental health services provider that summarize the focus and progress toward treatment goals(s) of each therapy or intervention session.

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

Maintenance of Student Records

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

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

Information contained in student education records shall be

[SELECT OPTION 1 OR OPTION 2]

[OPTION 1]

classified as set forth in F.A.C. 6A-1.0955 and retained in accordance with the rule and this policy.

[END OF OPTION 1]

[OPTION 2]

classified as follows:

Category A Records, Information for each student which shall be kept current while the student is enrolled and retained permanently in the manner prescribed by F.S. 1001.52

Student's full legal name.

Authenticated birthdate, place of birth, race, ethnicity, and sex.

Last known address of the student.

Name(s) of the student's parent(s) or guardian(s).

Name and location of last school attended.

Number of days present and absent, date enrolled, date withdrawn.

Courses taken and record of achievements, such as grades, credits, or certification of competence.

Date of graduation or date of program completion.

Records of requests for access to and disclosure of personally identifiable information from the student's educational records.

Category B Records, Information which is subject to periodic review and elimination when the information is

no longer useful in the manner prescribed by F.S. 1001.52

Health information, family background data, standardized test scores, State-mandated achievement test scores, educational and career plans, honors and activities, work experience reports, and teacher comments.

Reports of student services or exceptional student staffing committees including all information required by F.S. 1001.42.

Correspondence from community agencies or private professionals.

Discipline records.

Written agreements of corrections, deletions, or expunctions as a result of meetings or hearings to amend educational records.

Academic and behavioral intervention services.

Psychological evaluations.

Therapeutic treatment plans and therapy progress notes.

Such other records of educational importance as the school shall deem necessary.

Records designated for retention by the Florida Department of State in General Records Schedule GS7 for *Public Schools Pre-K - 12, Adult and Vocational/Technical*.

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

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

[END OF OPTION 2]

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

Type Record	Location	Custodian	Address
Active and inactive student records as specified in the current Student Records Manual for the District	Last school attended	Principal of last school attended	As shown in local directory

Inactive student cumulative records (Category A) as specified in the current Student Records Manual for the District

Central District office

Superintendent or designee

Records Management Educational Services Facility

Individual exceptional student education records as specified in the current Student Records Manual for the District

Last school attended

Principal of last school attended

As shown in local directory

Individual student psychological records as specified in the current Student Records Manual for the District

Last school attended

Principal of last school attended

As shown in local directory

Limitations on Collection and Retention of Certain Information

The District shall not collect, obtain, or retain information on the political affiliation, voting history, religious affiliation, or biometric information of a student or a parent or sibling of a student. For purposes of this paragraph, the term “biometric information” means information collected from the electronic measurement or evaluation of any physical or behavioral characteristics that are attributable to a single person, including fingerprint characteristics, hand characteristics, eye characteristics, vocal characteristics, and any other physical characteristics used for the purpose of electronically identifying that person with a high degree of certainty. Examples of biometric information include, but are not limited to, a fingerprint or hand scan, a retina or iris scan, a voice print, or a facial geometry scan.

The District shall not maintain any report or record relative to a student that includes a copy of a student's fingerprints.

The Superintendent or designee will be responsible for the privacy and security of records that are not under the supervision of the school principal.

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

Access to Student Records

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

In addition to students and their parents and eligible students, student records shall be available only to designated school officials and personnel, to such other persons as the parent or eligible student authorizes in

writing, a court of competent jurisdiction or to other individuals or organizations as permitted by law.

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

Whenever a student has attained eighteen (18) years of age, the permission and consent required of and rights accorded to the parents of the student as to student records maintained by the District, shall thereafter be required of and accorded to the eligible student only, unless the eligible student is a dependent of their parents as defined in Title 26 U.S.C. Section 152 of the Internal Revenue Code of 1954. The School District may, in this instance, disclose personally identifiable information from the education records to the parents without the prior consent of the eligible student.

Whenever a student has enrolled in a postsecondary institution, regardless of age, the permission and consent required of and rights accorded to the parents of the student as to student records maintained by the postsecondary institution shall thereafter be required of and accorded to the eligible student only. However, if the student is not eighteen (18) years of age, then the permission and consent required of and rights as to the student's records maintained by the District shall be retained by the parents.

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

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

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

In instances where records are opened to parents, guardians, or eligible students, schools shall make available a member of the professional staff to interpret the record and shall provide copies,

() upon request and payment of the current District copy rate, which shall not exceed the maximum rate for copies of public records as set forth in F.S. Chapter 119.

() upon request, free of charge.

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

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

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

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

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

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

Court Request of Records

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

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

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

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

Hearing Procedure to Correct Student Records

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

If the parties at the informal meeting agree to make deletions, to expunge material, or to add a statement of explanation or rebuttal to the file, such agreement shall be reduced to writing and signed by the parties, and the appropriate school officials shall take the necessary actions to implement the agreement. If an agreement is not

reached, denial of the request and notification of the right to a formal hearing shall be made in writing to the parent, guardian, or eligible student with a copy to the Superintendent or designee.

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

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

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

Disclosure of Personally Identifiable Information

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

Prior Written Consent

Prior written consent of the parent, guardian, or eligible student shall be obtained prior to disclosing personally identifiable student information other than directory information. The written consent shall include: signature of the parent, guardian, or eligible student; date; specification of records or information to be

disclosed; purpose of the disclosure; and the party or class of parties to whom a disclosure is to be made.

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

Without Prior Written Consent

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

Officials of schools, school systems, career centers, or public postsecondary educational institutions in which the student seeks or intends to enroll; and a copy of such records or reports shall be furnished to the parent or student upon request.

Other school officials, including teachers within the educational institution or agency, who have a legitimate educational interest in the information contained in the records.

The United States Secretary of Education, the Director of the National Institute of Education, the Assistant Secretary for Education, the Comptroller General of the United States, or State or local educational authorities who are authorized to receive such information subject to the conditions set forth in applicable Federal statutes and regulations of the United States Department of Education, or in applicable State statutes and rules of the State Board of Education.

The disclosed records must be used to audit or evaluate a Federal or State supported education program, or to enforce or comply with Federal requirements related to those education programs. A written agreement

between the parties is required under this exception. (see Form 8330 F16)

This written agreement must include:

designation of the receiving individual or entity as an authorized representative;

specification of the information to be disclosed;

specification that the purpose of the disclosure is to carry out an audit or evaluation of a government-supported educational program or to enforce or comply with the program's legal requirements;

a summary of the activity that includes a description of the methodology and an explanation of why personally identifiable information is necessary to accomplish the activity;

a statement requiring the organization to destroy all personally identifiable information when it is no longer needed to carry out the audit or evaluation, along with a specific time period in which the information must be destroyed; and

a statement of policies and procedures that will protect personally identifiable information from further disclosure or unauthorized use.

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

Appropriate parties in connection with a student's application for or receipt of financial aid, if necessary to determine the eligibility for the aid; determine the amount of the aid; determine the conditions of the aid;

and/or enforce the terms and conditions of the aid.

Individuals or organizations conducting studies for or on behalf of an institution or a board of education for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, if the studies are conducted in a manner that does not permit the personal identification of students and their parents by persons other than representatives of such organizations and if the information will be destroyed when no longer needed for the purpose of conducting such studies.

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

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

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

Accrediting organizations, in order to carry out their accrediting functions.

School Readiness programs as provided in State law in order to carry out their assigned duties.

For use as evidence in student expulsion hearings conducted by a district school board under F.S. Chapter 120; however, public records of expulsion hearings shall not contain any personally identifiable information.

Appropriate parties in connection with an emergency, if knowledge of the information in the student's

educational records is necessary to protect the health or safety of the student or other individuals.

The Auditor General and the Office of Program Policy Analysis and Government Accountability in connection with their official functions; however, except when the collection of personally identifiable information is specifically authorized by law, any data collected by the Auditor General and the Office of Program Policy Analysis and Government Accountability is confidential and exempt from F.S. 119.07 (1) and shall be protected in a way that does not permit the personal identification of students and their parents by other than the Auditor General, the Office of Program Policy Analysis and Government Accountability, and their staff, and the personally identifiable data shall be destroyed when no longer needed for the Auditor General's and the Office of Program Policy Analysis and Government Accountability's official use.

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

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

Credit bureaus, in connection with an agreement for financial aid that the student has executed, if the information is disclosed only to the extent necessary to enforce the terms or conditions of the financial aid agreement. Credit bureaus shall not release any information obtained under this paragraph to any person.

Parties to an interagency agreement among the Department of Juvenile Justice, school and law enforcement authorities, and other signatory agencies for the purpose of reducing juvenile crime and especially motor vehicle theft by promoting cooperation and collaboration, and the sharing of appropriate information in a joint effort to improve school safety, to reduce truancy and in-school and out-of-school suspensions, and to support alternatives to in-school and out-of-school suspensions and expulsions that provide structured and well supervised educational programs supplemented by a coordinated overlay of

other appropriate services designed to correct behaviors that lead to truancy, suspensions, and expulsions, and that support students in successfully completing their education. Information provided in furtherance of such interagency agreements is intended solely for use in determining the appropriate programs and services for each juvenile or the juvenile's family, or for coordinating the delivery of such programs and services, and as such is inadmissible in any court proceedings prior to a dispositional hearing unless written consent is provided by a parent or other responsible adult on behalf of the juvenile.

Consistent with the Family Educational Rights and Privacy Act, the Department of Children and Families or a community-based care lead agency acting on behalf of the Department of Children and Families, as appropriate.

Parents of a dependent student as defined by the Internal Revenue Service Tax Code of 1986 and in this policy.

Directory information as specified in this policy.

If the District initiates legal action (a lawsuit) against a parent, or if the parent initiates legal action against the District. In such circumstances, the District may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the District to proceed with legal action as the plaintiff or to defend itself.

If the release is to the Attorney General of the United States or to his/her designee in response to an ex parte order in connection with the investigation or prosecution of terrorism crimes specified in Sections 2331 and 2332 of Title 18, U.S. Code.

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

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

If the release is otherwise permitted under Federal law.

Record of Disclosures

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

With regard to such disclosures, a school official is determined to be any employee of the School Board of _____ County, Florida, with direct responsibility for providing services to students. A legitimate educational interest is determined to mean responsibility for providing direct educational services to students which will include teaching, counseling, psychological services, or other services to students which require access to personally identifiable information and/or those specified in the law.

Disclosures - Health or Safety Emergencies

Disclosure of personally identifiable student information may be made by school officials in the event of a health or safety emergency. Such emergency situations shall be declared in writing to the Superintendent by a recognized legal official with authority to declare such emergency. The declaration of a health or safety emergency shall include the need for specific personally identifiable student information, the time requirements for the information, and the parties to whom the information is disclosed who are responsible for utilizing the information to deal with the emergency.

DIRECTORY INFORMATION

The District shall make available, upon request, certain information known as directory information without prior permission of the parents or the eligible student. The District shall charge fees for copies of designated directory information as provided in State law. Directory information means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. The Board designates as student directory information: a student's name; photograph; address;

telephone number, if it is a listed number; e-mail address; date and place of birth; participation in officially-recognized activities and sports; height and weight, if a member of an athletic team; dates of attendance; grade level; enrollment status; date of graduation or program completion; awards received; and most recent educational agency or institution attended. Designation of directory information shall occur at a regularly scheduled Board meeting. At the meeting, the Board shall consider whether designation of such information would put students at risk of becoming targets of marketing campaigns, the media, or criminal acts.

An annual written notice shall be given to inform parents, guardians, and eligible students of their rights of access, waiver of access, challenge and hearing, privacy, categories of personally identifiable student information designated as directory information data, and the location and availability of the District's policy on education records of students. Alternate methods of notice shall be made for parents, guardians, or eligible students unable to comprehend a written notice in English. Parents or eligible students may, by providing a written statement to the principal within two (2) weeks of the first day of the school year or entry into the school system request that all specific portions of directory information for that specific student not be released.

Directory information shall not be provided to any organization for profit-making purposes, unless the request is approved, in a nondiscriminatory manner, by the Superintendent.

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

Whenever parental consent is required for the inspection and/or release of a student's health or educational records or for the release of directory information, either parent may provide such consent unless agreed to otherwise in writing by both parents or specifically stated by court order. If the student is under the guardianship

of an institution, the Superintendent shall appoint a person who has no conflicting interest to provide such written consent.

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

Transfer of Student Records

[SELECT OPTION 1 OR OPTION 2]

[OPTION 1]

Student records shall be transferred in accordance with the requirements of F.A.C. Rule 6A-1.0955.

[END OF OPTION 1]

[OPTION 2]

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

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

The transfer of records of students who transfer from school to school must occur within ~~three (3)~~ five (5) school days of receipt of the request for records from the new school or district, or receipt of the identity of the new school and district of enrollment, whichever occurs first. Student records must ~~contain~~ include, if applicable, verified reports of serious or recurrent behavior patterns, including ~~substantive and transient~~ any threat ~~assessments~~ assessment report, all corresponding documentation, and any other information required by the Florida-specific behavioral threat assessment instrument pursuant to F.S. 1001.212 which contains

the evaluation, intervention, and management of the threat assessments evaluation and intervention services
~~and psychological evaluations, including therapeutic treatment plans and therapy progress notes created or
maintained by District staff.~~

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

[END OF OPTION 2]

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

verified reports of serious or recurrent behavior patterns, including threat assessment evaluations and intervention services; and

psychological evaluations, including therapeutic treatment plans and therapy or progress notes created or maintained by School District or charter school staff, as appropriate.

The records shall be transferred within ~~three (3)~~five (5) school days of receipt of a written request from the principal of the receiving school, the parent, guardian, or eligible student.

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

Procedures

The Superintendent shall prepare administrative procedures to ensure that students and parents are adequately informed each year regarding their rights to:

inspect and review the student's educational records;

request amendments if the parent believes the record is inaccurate, misleading, or otherwise in violation of the student's privacy rights;

consent to disclosures of personally identifiable information contained in the student's educational records, except to those disclosures allowed by the law;

challenge District noncompliance with a parent's or eligible student's request to amend the records through a hearing;

file a complaint with the Department of Education;

obtain a copy of the District's policy and administrative procedures on student records.

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

the proper storage and retention of records including a list of the type and location of record;

informing District employees of the Federal and State laws concerning student records.

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

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

Additional Safeguards for Student Education Records

Any entity receiving personally identifiable information pursuant to a study, audit, evaluation or enforcement/compliance activity must comply with all FERPA regulations. Further, such an entity must enter into a written contract with the Board delineating its responsibilities in safeguarding the disclosed information. Specifically, the entity must demonstrate the existence of a sound data security plan or data stewardship program, and must also provide assurances that the personally identifiable information will not

be re-disclosed without prior authorization from the Board. Further, the entity conducting the study, audit, evaluation or enforcement/compliance activity is required to destroy the disclosed information once it is no longer needed or when the timeframe for the activity has ended, as specified in its written agreement with the Board. See Form 8330 F14 and Form 8330 F16 for additional contract requirements.

Required use of online educational services by students and parents

In order to protect a student's PII from potential misuse and in order to protect students from data mining or targeting for marketing or other commercial purposes, the Board requires the review and approval of any online educational service that students or their parents are required to use as part of a school activity (1) regardless of whether there is a written agreement governing student use, (2) whether or not the online educational service is free, and (3) even if the use of the online educational service is unique to specific classes or courses. The following requirements also apply to online educational services:

The Superintendent is responsible for reviewing the online educational service's terms of service and privacy policy for compliance with State and Federal privacy laws, including FERPA and its implementing regulations, the Children's Online Privacy Protection Act (COPPA), 15 U.S.C. 6501-6506, and F.S. 1002.22;

The Superintendent is responsible for the review and approval of online educational services that will be required for students to use;

Parents and eligible students will be notified via email _____ any time they are required to use an online educational service that collects student PII;

If student PII will be collected by the online educational service, parents and eligible students will be provided notification regarding the information that will be collected, how it will be used, when and how it will be destroyed, and the terms of re-disclosure, if any, in the following manner:

The Board

will not utilize any online educational service that will share or sell a student's PII for commercial purposes.

will utilize online educational services that will share or sell a student's PII for commercial purposes.

Students and parents will be notified regarding how they may consent or disapprove as follows:

_____.

If a student is required to use an online educational service, the Board will include on its website a description of the student PII that may be collected, how it will be used, when it will be destroyed and the terms of re-disclosure. The website will also include a link to the online educational service's terms of service and privacy policy, if publicly available.

Contracts or agreements with third-party vendors

All contracts or agreements executed by or on behalf of the Board with a third-party vendor or a third-party service provider must protect the privacy of education records and student PII contained therein. Any agreement that provides for the disclosure or use of student PII must:

require compliance with FERPA, its implementing regulations, and F.S. 1002.22;

where applicable, require compliance with COPPA, 15 U.S.C. 6501-6506, and its implementing regulations;

ensure that only the student PII necessary for the service being provided will be disclosed to the third party;

prohibit disclosure or re-disclosure of student PII unless one of the conditions set forth in F.A.C. 6A-1.0955(11)(b) has been met.

Contracts or agreements with a third-party vendor or third-party service provider may permit the disclosure of student PII to the third party only where one or more of the following conditions has been met:

the disclosure is authorized by FERPA and 34 CFR §99.31;

the disclosure is authorized by the Board's directory information provisions set forth in this policy and implemented in accordance with FERPA and 34 CFR §99.37; or

the disclosure is authorized by written consent of an eligible student or parent. Consent must include, at a minimum, an explanation of who the student PII would be disclosed to, how it would be used, and whether re-disclosure is permitted. Any re-disclosure must meet the requirements of F.A.C. 6A-1.0955(11)(b) and this policy.

Request for Student Social Security Numbers at Enrollment

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

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Legal References

F.S. Chapter 119

F.S. 1001.41

F.S. 1001.52

F.S. 1002.22

F.S. 1002.221

F.S. 1002.222

F.S. 1003.25

F.A.C. 6A-1.0955

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

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

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

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

20 U.S.C. 7908

26 U.S.C. 152

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

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

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

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



Book: Local Policies for Update

Section: Vol. 24, No. 1, July 2023

Title: Revised Policy - Vol. 24, No. 1, July 2024 - SCHOOL SAFETY AND SECURITY

Number: po8405

Revised Policy - Vol. 24, No. 1

8405 - SCHOOL SAFETY AND SECURITY

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

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

The Superintendent, in conjunction with the School Safety Specialist, shall develop a *School Safety and Security Plan* with input from representatives of the local law enforcement **agency** **agencies**; the local Fire Marshall(s) or their designee(s); representative(s) from emergency medical services;

members of the Board;

building administrators;

representative(s) from the local emergency management agency;

School Resource Officer(s);

commissioned school safety officers;

school guardians;

security guards;

local mental health () **agency () agencies;**

teachers and staff;

parents;

students;

(other, please specify) _____;

(other, please specify) _____.

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

security assessments;

roles and responsibilities of District personnel;

roles and responsibilities of Safe-School Officers (Policy 8407 - *Safe-School Officers*);

information sharing;

training of District personnel and exercises/drills, including training standards;

identification of Safe Spaces and Command Posts;

response to the threat of an active assailant, including the following three (3) strategies: evading or evacuating, taking cover or hiding, and responding to or fighting back;

response to the presence of an active assailant on school grounds;

communication with law enforcement prior to and after law Enforcement arrives on school grounds;

responsibilities prior to law enforcement arrival;

responsibilities when law enforcement arrives on school grounds;

communication with the public; and

post-incident recovery.

The District will adopt its DAARP annually by October 1.

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

School Safety Specialist

The Superintendent is responsible for designating the District's School Safety Specialist. The School Safety Specialist must be a school administrator employed by the District or a law enforcement officer employed by the _____ County Sheriff's Office. **[DRAFTING NOTE: The Sheriff's Office must be located in the District]**

Prior to appointing a law enforcement officer to serve as the School Safety Specialist, the Superintendent must verify that the law enforcement officer has met all statutory requirements and has been authorized and approved by the _____ County Sheriff's Office to serve as the School Safety Specialist.

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

Training

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

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

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

Responsibilities

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

reviewing at least annually District and charter schools policies and procedures for compliance with Florida law and applicable rules, as provided by F.S. 1006.07 (6)(a)1., including the District's timely and accurate submission of school environmental safety incident reports to the Department pursuant to F.S. 1001.212;

The School Safety Specialist is responsible for submitting all Board and District charter school policies and procedures pertaining to the health, safety, or welfare of students to the Office of Safe Schools by July 1 of

each year.

providing necessary training and resources to students and staff in matters relating to youth mental health awareness and assistance; emergency procedures, including active shooter training; and school safety and security;

serving as the District liaison with local public safety agencies and national, State, and community agencies and organizations in matters of school safety and security;

conduct annually on or before October 1, in collaboration with the appropriate public safety agencies, a school security risk assessment at each District school using the Florida Safe Schools Assessment Tool developed by the Office of Safe Schools;

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

The District will ensure the accuracy of current school listings within the Florida Safe Schools Assessment Tool application, including school name, address, and MSID number. The District will report to the Office of Safe Schools via e-mail within five (5) school days of a school opening or closing, or when any other change occurs that impacts the accuracy of the District-provided information in the Florida Safe Schools Assessment Tool.

coordinating with appropriate public safety agencies, as defined in F.S. 365.171, that are designated as first responders to a school's campus to conduct a tour of such campus once every three (3) years and to provide recommendations related to school safety. Completion of such tours and any recommendations must be documented in each school's security risk assessment within the Florida Safe Schools Assessment Tool;

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

Board.

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

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

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

an overview of mental illnesses and substance abuse disorders and the need to reduce the stigma of mental illness;

information on the potential risk factors and warning signs of emotional disturbance, mental illness, or substance use disorders, including, but not limited to, depression, anxiety, psychosis, eating disorders, and self-injury, as well as common treatments for those conditions and how to assess those risks; and

information on how to engage at-risk students with skills, resources, and knowledge required to assess the situation, and how to identify and encourage the student to use appropriate professional help and other support strategies, including, but not limited to, peer, social, or self-help care.

coordinating with charter schools to address charter school safety requirements as set forth under Florida law and F.A.C. 6A-1.0018;

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

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

investigating and responding to notices from the Office of Safe Schools containing suspected deficiencies at a District school and at or by a charter school.

[] _____.

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

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

resolving deficiencies relating to Safe-School officer coverage by no later than the next school day;

notifying the Office of Safe Schools within twenty-four (24) hours at SafeSchools@fldoe.org of any deficiencies relating to Safe-School officer coverage and any instance of noncompliance that is determined to be an imminent threat to the health, safety, or welfare of students or staff. The notification must contain particularized facts beyond noncompliance with rules or Florida Statutes that explain the imminent threat;

notifying the Office of Safe Schools within three (3) days at SafeSchools@fldoe.org of any instance of noncompliance not corrected within sixty (60) days;

the School Safety Specialist shall identify any instances of noncompliance through their duties identified throughout this policy;

[] Additionally, if and when any employee of the District becomes aware of an instance of noncompliance at a school with a requirement of this policy or other State law or rules relating to student safety must notify the School Safety Specialist within twenty-four (24) hours, unless such noncompliance involves an imminent threat to the health, safety, or welfare of students or staff. In such instances, notice must be provided immediately. **[END OF OPTION]**

If the School Safety Specialist identifies, or is made aware of an instance of noncompliance by an employee, the School Safety Specialist shall investigate the alleged noncompliance and, if it is determined that there was an instance of noncompliance, the School Safety Specialist shall develop a written plan of correction no later than seven (7) days following their investigation. Alleged noncompliance that creates an imminent threat to the health, safety, or welfare of students or staff shall be addressed immediately and in accordance with subsections (1) through (3) above.

_____ **[DRAFTING NOTE - F.A.C. Rule 6A-1.0018 (4)(c) requires the District to establish policies explaining the process the School Safety Specialist will use to identify and correct instances of noncompliance at a school with a requirement of the rule or other State law or rules relating to safety. If the District desires to establish policies in addition to those herein, they should include them in this option.]**

Response to Notice of Suspected Deficiency from the Office of Safe Schools

The School Safety Specialist is responsible for notifying the Superintendent within **[CHOOSE ONE] []** immediately and no later than the same day of receipt _____ **[END OF OPTIONS]** of any notice of suspected deficiency the School Safety Specialist receives from the Office of Safe Schools.

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

Recommendations of the School Safety Specialist

Based on the findings of the school security risk assessment, the School Safety Specialist must provide

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

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

As a part of the *School Safety and Security Plan*, the Board shall verify that it has procedures in place for keeping schools safe and drug-free that include (see also, Form 8330 F15 entitled Checklist of Policies and Guidelines Addressing No Child Left Behind Act of 2001):

safety and security best practices;

appropriate and effective school discipline policies that prohibit disorderly conduct, the illegal possession of weapons and the illegal use, possession, distribution, and sale of tobacco, alcohol, and other drugs by students;

security procedures at school and while students are on the way to and from school;

prevention activities that are designed to maintain safe, disciplined and drug-free environments;

a code of conduct or policy for all students that clearly states the responsibilities of students, teachers, and administrators in maintaining a classroom environment that:

allows a teacher to communicate effectively to all students in the class;

allows all students in the class the opportunity to learn;

has consequences that are fair, and developmentally appropriate;

considers the student and the circumstances of the situation; and

is enforced accordingly.

Threat Management Coordinator

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

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

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:

Coordinating with the Office of Safe Schools, established pursuant to F.S. 1001.212.

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).

Facilitating the implementation of District policies relating to the respective duties and responsibilities of the

District, the Superintendent, and District Principals.

Coordinating with the School Safety Specialist on the staffing and training of threat **assessment** **management** teams and facilitating referrals to mental health services, as appropriate, for students and their families.

Coordinating with the School Safety Specialist on the training and resources for students and District staff relating to youth mental health awareness and assistance.

Reviewing annually the District's policies and procedures related to student mental health for compliance with Florida law and alignment with current best practices and make recommendations, as needed, for amending such policies and procedures to the Superintendent and the Board.

Safety and Security Best Practices

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

The Board shall adopt, in coordination with local law enforcement agencies and local governments, a family reunification plan to reunite students and employees with their families in the event that a school is closed or unexpectedly evacuated due to a natural or man-made disaster. The reunification plan must be reviewed annually and updated, as applicable.

Persistently Dangerous Schools

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

whether or not a school is considered persistently dangerous.

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

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

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

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

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

In addition, the Superintendent shall

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

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

[] If a school in a neighboring district is identified as persistently dangerous and there is not another school or public school academy in that district, the District will admit students from that school in accordance with Board Policy 5113.

Victims of Violent Crime

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

Threat ~~Assessment~~Management Teams

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

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

Each school-based threat ~~assessment~~management team must meet as often as needed to fulfill its duties of

assessing and intervening with persons whose behavior may pose a threat to school staff or students, but no less than monthly. Threat **assessmentmanagement** teams shall maintain documentation of their meetings, including meeting dates and times, team members in attendance, cases discussed, and actions taken.

Location and Membership

Threat **assessmentmanagement** teams are located at each school in the District and composed of individuals with expertise in counseling, instruction, school administration, and law enforcement. All members of the threat **assessmentmanagement** team must be involved in the threat assessment and threat management process and final decision-making. At least one (1) member of the threat management team must have a personal familiarity with the individual who is the subject of the threat assessment. If no member of the threat management team has such familiarity, an instructional personnel or administrative personnel who is personally familiar with the individual who is the subject of the threat assessment must consult with the threat management team for the purpose of assessing the threat. The instructional or administrative personnel who provides such consultation shall not participate in the decision-making process.

The counseling team member must be a school-based mental health services provider who is able to access student mental health records.

The law enforcement team member must be a sworn law enforcement officer, as defined by F.S. 943.10, including a School Resource Officer, school-safety officer, or other active law enforcement officer. At a minimum, a law enforcement officer serving on a threat **assessmentmanagement** team must have access to local Records Management System information, the Criminal Justice Information System, and the Florida Crime Information Center and National Crime Information Center databases. Officers serving on school-based threat **assessmentmanagement** teams must also have clearance to review Criminal Justice Information and Criminal History Record Information.

[DRAFTING NOTE: School guardians and school security guards may not serve as the law enforcement member of a threat **assessmentmanagement team.]**

The Board authorizes the Superintendent to create procedures for the purpose of:

identifying team participants by position and role;

designating the individuals (by position) who are responsible for gathering and investigating information; and

identifying the steps and procedures to be followed from initiation to conclusion of the threat assessment inquiry or investigation.

Responsibilities and Activities of Threat ~~Assessment~~Management Teams

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

identification of individuals in the school community to whom threatening behavior should be reported and provide guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school, or self;

~~utilizing the Department's behavior~~upon the availability of the Florida-specific behavioral threat assessment instrument developed pursuant to F.S. 1001.212, all threat management teams shall use that instrument when evaluating the behavior of students who may pose a threat to the school, school staff, or students, and to coordinate intervention and services for such students;

consult with law enforcement when a student exhibits a pattern of behavior, based upon previous acts or the severity of an act, that would pose a threat to school safety;

consult with law enforcement when a student commits more than one (1) misdemeanor to determine if the act should be reported to law enforcement;

if a preliminary determination is made by the threat ~~assessment~~management team that a student poses a threat of violence or physical harm to himself/herself or others, the threat ~~assessment~~management team will report its determination to the Superintendent;

The Superintendent shall immediately attempt to notify the student's parent or legal guardian. However,

nothing in this paragraph ~~shall preclude~~precludes District personnel from acting immediately to address an imminent threat.

if a preliminary determination is made by the threat ~~assessment~~management team that a student poses a threat of violence to themself or others or exhibits significantly disruptive behavior or need for assistance, authorized members of the threat ~~assessment~~management team may obtain criminal history record information pursuant to F.S. 985.04(1);

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

create procedures related to engaging behavioral health crisis resources.

All reported threats, even those determined not to be a threat, must be documented by the threat ~~assessment~~management team. Documentation must include the evaluation process and any resultant action.

Upon availability, the District and each school will use the threat management portal developed by the Office of Safe Schools pursuant to F.S. 1001.212.

Sharing of Information

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

Immediate Mental Health or Substance Abuse Crisis

If an immediate mental health or substance abuse crisis is suspected, school personnel shall follow ~~policies~~steps established by the threat ~~assessment~~management team to engage behavioral health crisis resources.

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

Threat Assessment Report

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

Behavior Threat Assessment Instrument Training

All threat **assessmentmanagement** team members must be trained on the Department's behavior threat assessment instrument in accordance with Florida law.

[DRAFTING NOTE: For the 2021-22 school year, each member of a threat assessment team must complete Office of Safe Schools-approved training on the Comprehensive School Threat Assessment Guidelines (CSTAG) model no later than December 31, 2021. Beginning with the 2022-23 school year, threat **assessmentmanagement teams at each school must be fully staffed and all team members must complete CSTAG training before the start of the school year. Those appointed to threat **assessmentmanagement** teams after the start of the school year must complete CSTAG training within ninety (90) days of appointment.]**

Office of Safe Schools Reporting

Each threat **assessmentmanagement** team shall report quantitative data on its activities to the Office of Safe Schools, including all activities during the previous school year, ~~and shall utilize the threat assessment database developed pursuant to F.S. 1001.212~~. The School Safety Specialist will report this information to the Office of Safe Schools.

Beginning in the 2022-2023 school year, the total number of threat assessments conducted, disaggregated by the total number of non-threats, the total number of transient threats, the number of substantive threats, and the sex, race, and grade level of all students assessed by the threat assessment team.

Threat Assessment Records

(SELECT OPTION 1 OR OPTION 2)

(OPTION 1)

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

(END OF OPTION 1)

(OPTION 2)

Transient or Substantive Threats

Threat assessments determined to be transient or substantive, as defined in F.A.C. 6A-1.0018, are Category B records and shall be maintained in a student's file as long as determined useful by a threat **assessmentmanagement** team, pursuant to F.S. 1006.07 and F.A.C. 6A-1.0018.

Non-Threats

In order to protect students from stigma and unintended consequences, reported threats which are determined by a threat **assessmentmanagement** team not to be a threat at all, meaning the threat does not

rise to the level of transient or substantive, may be maintained by the threat **assessmentmanagement** team, but must not be maintained in a student's file, unless one of the following conditions are met:

The parent of the student who was the subject of a non-threat finding requests that the record be retained in the student's file; or

The threat **assessmentmanagement** team has made a determination that the non-threat finding must be retained in order to ensure the continued safety of the school community or to ensure the well-being of the student.

Such determination and reasoning for maintaining the record must be documented with the non-threat finding. Where such a determination is made, the threat **assessmentmanagement** team must re-evaluate the decision on an annual basis to determine if the record is no longer useful. The student's age and length of time since the original assessment must be considered in those evaluations.

Referral to Mental Health Services

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

School Environmental Safety Incident Reporting

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

[DRAFTING NOTE: If the superintendent fails to provide accurate and timely reporting of incidents as stated in this section, they shall be subject to the penalties specified in law, which includes, but is not limited to, the forfeiture of future salary.]

Student Crime Watch Program

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

Promotion of School Safety Awareness

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

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

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

[F.S. 1001.212](#)

F.S. 1006.07

F.S. 1006.13

F.S. 1006.1493

Florida Safe Schools Assessment Tool

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

F.A.C. 6A-1.0018

[F.A.C. 6AER23-02](#)

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Legal References

F.S. 1001.212

F.S. 1006.07

F.S. 1006.13

F.S. 1006.1493

Florida Safe Schools Assessment Tool

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

F.A.C. 6A-1.0018

F.A.C. 6AER23-02



Book: Local Policies for Update

Section: Vol. 24, No. 1, July 2023

Title: Revised Policy - Vol. 24, No. 1, July 2023 - CRITICAL INCIDENT RESPONSE

Number: po8410.01

Revised Policy - Vol. 24, No. 1

8410.01 - CRITICAL INCIDENT RESPONSE

The School Board believes that the employees, and students of the District, as well as visitors, are entitled to function in a safe school environment. In this regard, the Board has adopted policies related to conduct in the school setting as well as those that address various critical incident event situations.

In each school cafeteria, there shall be a poster that is easily visible and prominently placed that contains step-by-step instructions on how to provide emergency first aid for choking on conscious individuals.

The Superintendent shall promulgate administrative procedures for responding to a critical incident event situation, which includes developing a prevention plan.

F.S. 1001.42

F.S. 1003.02

F.S. 1006.07

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Legal References

F.S. 1001.42

F.S. 1003.02

F.S. 1006.07



Book: Local Policies for Update

Section: Vol. 24, No. 1, July 2023

Title: Revised Policy - Vol. 24, No. 1, July 2023 - CRIMINAL BACKGROUND SCREENING FOR CONTRACTOR ACCESS

Number: po8475

Revised Policy - Vol. 24, No. 1

8475 - CRIMINAL BACKGROUND SCREENING FOR CONTRACTOR ACCESS

The safety of students is of paramount importance to the District. Consistent with this concern for student safety, and in compliance with Florida law, the District requires that all contractual personnel who are permitted access on school grounds when students are present, who have direct access to students, or who have access to or control of school funds must meet the screening requirements of F.S. 1012.32. Further, contractors who have direct contact with students must, upon engagement to provide services, undergo a background screening as required under F.S. 435.12 as well as F.S. 1012.465 or F.S. 1012.56 (whichever is applicable).

Noninstructional contractors who are permitted access to school grounds when students are present, whose performance of the contract with the school or Board is not anticipated to result in direct contact with students, and for whom any unanticipated contact would be infrequent and incidental shall be required to submit to a fingerprint-based criminal history check using the process described in F.S. 1012.32 (3).

The Board is a registered employer with the Care Provider Background Screening Clearinghouse. Criminal history checks through the Care Provider Background Screening will be conducted before referring an employee or potential employee or a person with a current or potential affiliation with the District for electronic fingerprint submission to the Florida Department of Law Enforcement. For purposes of this policy, "affiliation" means the status of a person employed or serving as a volunteer or contractor, or seeking to be employed or to serve as a volunteer or contractor, with the District in a position for which screening is not required by law but is authorized under the National Child Protection Act. Additionally, as it relates to Care Provider Background

Screening, the following shall further apply:

Before January 1, 2024, initial status and any changes in status must be reported within ten (10) business days after a person receives his or her initial status or after a change in the person's status has been made.

Effective January 1, 2024, initial status and any changes in status must be reported within five (5) business days after a person receives his or her initial status or after a change in the person's status has been made.

For purposes of this policy, a "contractor" shall mean any vendor, individual, or entity under contract with a school or with the School Board who receives remuneration for services performed for the District or a school, but who is not otherwise considered an employee of the District. The term also includes any employee of a contractor who performs services for the District or school under the contract, as well as any subcontractor and employees of that subcontractor. This policy applies to both instructional and noninstructional contractors.

All contractors shall be informed that they are subject to a criminal background screening. Records received by the District as part of a criminal background screening shall be retained in accordance with State and Federal law.

~~[] Although the information contained in the reports received is confidential, pursuant to State law the District shall share information received as the result of the criminal background check with other school districts upon request from another district.~~

~~[] The information contained in the reports received is confidential. The District shall not share information received as the result of the criminal background check with other school districts.~~

A contractor who has a criminal history records check and meets the screening requirements set forth in State law shall be permitted to have access on school grounds when students are present, to have direct contact with students, and to have access to or control of school funds as required by the scope of their employment.

Exemptions for Noninstructional Contractors

The following noninstructional contractors shall be exempt from the screening requirements set forth in State

law:

Noninstructional contractors who are under the direct supervision of a School District employee are exempt from the screening requirements set forth in State law. Pursuant to State law, "direct supervision" means that a School District employee or contractor, who has had a criminal history records check and has met the screening requirements, is physically present with a noninstructional contractor when the noninstructional contractor has access to a student and the access remains in the School District employee's or the qualified contractor's line of sight.

However, if a noninstructional contractor who was exempt because s/he is under the direct supervision of a District employee or a contractor who has met the criminal history records check screening requirements is no longer under direct supervision of that employee or contractor who has met the criminal history records check screening requirement, said non-instructional contractor shall not be permitted on school grounds when students are present until s/he meets the screening requirements set forth in State law or until such direct supervision can be assured.

A noninstructional contractor who is required by law to undergo a Level 2 background screening pursuant to F.S. 435.04 for licensure, certification, employment, or other purposes and who submits evidence of meeting the following criteria:

The contractor meets the screening standards in F.S. 435.04.

The contractor's license or certificate is active and in good standing, if the contractor is a licensee or certificate holder.

The contractor completed the criminal history check within five (5) years prior to seeking access to school grounds when students are present.

A law enforcement officer, as defined in F.S. 943.10, who is assigned or dispatched to school grounds by his/her employer.

An employee or medical director of an ambulance provider licensed pursuant to Chapter 401 of State law,

who is providing services within the scope of part III of Chapter 401 of State law on behalf of such ambulance provider.

Noninstructional contractors who remain at a site where students are not permitted if the site is separated from the remainder of the school grounds by a single chain-link fence of six (6) feet in height.

A noninstructional contractor who provides pickup or delivery services and those services involve brief visits on school grounds when students are present.

The District will not subject a contractor who meets the requirements set forth in State law to an additional criminal history check. Upon submission of evidence and verification by the School District, the District will accept the results of the criminal history check for the contractor.

A noninstructional contractor who is exempt under this policy from the screening requirements set forth in State law is subject to a search of his/her name or other identifying information against the registration information regarding sexual predators and sexual offenders maintained by the Department of Law Enforcement under F.S. 943.043 and the National Sex Offender Public Registry maintained by the United States Department of Justice. The District will conduct the search required under this subsection without charge or fee to the contractor.

Disqualifying Offenses for Noninstructional Contractors

A noninstructional contractor for whom a criminal history check is required under this policy may not have been convicted of any of the following offenses designated in the Florida statutes, any similar offense in another jurisdiction, or any similar offense committed in this State which has been redesignated from a former provision of the Florida statutes to one (1) of the following:

Any offense listed in F.S. 943.0435(1)(h)1. relating to the registration of an individual as a sexual offender.

Any offense under F.S. 393.135 relating to sexual misconduct with certain developmentally disabled clients and the reporting of such sexual misconduct.

Any offense under F.S. 394.4593 relating to sexual misconduct with certain mental health patients and the

reporting of such sexual misconduct.

Any offense under F.S. 775.30 relating to terrorism.

Any offense under F.S. 782.04 relating to murder.

Any offense under F.S. 787.01 relating to kidnapping.

Any offense under Chapter 800 of State law relating to lewdness and indecent exposure.

Any offense under F.S. 826.04 relating to incest.

Any offense under F.S. 827.03 relating to child abuse, aggravated child abuse, or neglect of a child.

For purposes of this policy, "convicted" means that there has been a determination of guilt as a result of a trial or the entry of a plea of guilty or nolo contendere, regardless of whether adjudication is withheld, and includes an adjudication of delinquency of a juvenile as specified in F.S. 943.0435. Additionally, "conviction of a similar offense" includes, but is not limited to, a conviction by a Federal or military tribunal, including court-martials conducted by the Armed Forces of the United States, and includes a conviction or entry of a plea of guilty or nolo contendere resulting in a sanction in any State of the United States or other jurisdiction. Further, a "sanction" includes, but is not limited to, a fine, probation, community control, parole, conditional release, control release, or incarceration in a State prison, Federal prison, private correctional facility, or local detention facility.

Disqualifying Offenses for Instructional Contractors

An instructional contractor may not have been convicted of any of the offenses listed in F.S. 1012.315.

Duty to Inform

Under penalty of perjury, each person who is under contract in a capacity described in this policy must agree to inform his/her employer or the party with whom s/he is under contract within forty-eight (48) hours if convicted of any disqualifying offense while s/he is under contract in that capacity. A contractor who willfully fails to comply

with this subsection commits a felony of the third degree, punishable as provided in F.S. 775.082 or 775.083. If the employer of a noninstructional contractor or the party to whom the non-instructional contractor is under contract knows the noninstructional contractor has been arrested for any of the disqualifying offenses listed above, and authorizes the noninstructional contractor to be present on school grounds when students are present, such employer or such party commits a felony of the third degree, punishable as provided in F.S. 775.082 or 775.083.

Failure to Meet Screening Requirements

If it is found that a person who is under contract in a capacity described in this policy does not meet the screening requirements, and/or has been convicted of any of the offenses listed above, the person shall be immediately suspended from working in the capacity of a contractor and having access to school grounds, and shall remain suspended until final resolution of any appeals and/or the conviction is set aside in any post conviction proceeding.

Sexual Predators

A contractor who is identified as a sexual predator or sexual offender in the registry search shall not be permitted on school grounds when students are present. Upon determining that a contractor shall not be permitted on school grounds because of his/her status as a sexual predator or sexual offender, the District will notify the vendor, individual, or entity under contract within three (3) business days.

Board's Duty to Notify Contractor of Denial of Access

If the District has reasonable cause to believe that grounds exist for the denial of a contractor's access to school grounds when students are present, it shall notify the contractor in writing, stating the specific record that indicates noncompliance with the standards set forth in this policy. It is the responsibility of the affected contractor to contest his/her denial. The only basis for contesting the denial is proof of mistaken identity or that an offense from another jurisdiction is not disqualifying under those offenses listed above.

Identification Badges

State law requires the Department of Education (DOE) to create a uniform, Statewide identification badge to be worn by contractors. This badge signifies that a contractor has met the statutory background screening requirements. The District must issue an identification badge to the contractor, which must bear a photograph of the contractor if the contractor:

is a resident and citizen of the United States or a permanent resident alien of the United States as determined by the United States Citizenship and Immigration Services;

is eighteen (18) years of age or older; and

meets the statutory background screening requirements pursuant to State law and this policy.

The uniform, Statewide identification badge will be recognized by the District and must be visible at all times that a contractor is on school grounds. The identification badge is valid for a period of five (5) years. A contractor who is arrested for any disqualifying offense is required to inform his/her employer or the party to whom s/he is under contract within forty-eight (48) hours. If a contractor provides such notification, the contractor must, within forty-eight (48) hours, return the identification badge to the school district that issued the badge.

State law requires the FLDOE to determine a uniform cost that a school district may charge a contractor for receipt of the identification badge, which must be borne by the recipient of the badge. These provisions do not apply to noninstructional contractors who are exempt from background screening requirements.

Penalty for Violation

A contractor who is present on school grounds in violation of this section commits a felony of the third degree, punishable as provided in F.S. 775.082 or 775.083.

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Legal References

F.S. 435.12

F.S. 775.082

F.S. 775.083

F.S. 1012.32

F.S. 1012.465

F.S. 1012.467

F.S. 1012.468

F.S. 1012.56



Book: Local Policies for Update

Section: Vol. 24, No. 1, July 2023

Title: Revised Policy - Vol. 24, No. 1, July 2023 - FOOD SERVICE PROGRAM

Number: po8500

Revised Policy - Vol. 24, No. 1

8500 - FOOD SERVICE PROGRAM

The School Board shall provide cafeteria facilities in all school facilities where space and facilities permit and will provide food service for the purchase and consumption of lunch for all students. The Board shall annually encumber the funds needed to operate the program.

It is the intent of the Board to participate in the National School Lunch and School Breakfast Program and to offer paid, free, or reduced-price meals in accordance with the Child Nutrition Program, the National School Lunch Act, and Florida law. The operation of the food service program shall also be in compliance with the regulations set forth in State law and the Florida Administrative Code.

The Board does not discriminate on the basis of race, color, national origin, sex (including gender status, sexual orientation, or gender identity), disability (including HIV, AIDS, or sickle cell trait), pregnancy, age (except as authorized by law), religion, military status, ancestry, or genetic information (collectively, "protected classes") in its educational programs or activities. Students 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. See Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity.

Students who are eligible for free or reduced-price meals shall be approved and properly accounted for by the Principal in accordance with criteria established by the Child Nutrition Program and National School Lunch Act. The Board requires that the identity of students receiving free or reduced-price meals be safeguarded and kept

confidential.

Each elementary, middle, and high school shall make a breakfast meal available if a student arrives at school on the bus less than fifteen (15) minutes before the first bell rings and shall allow the student at least fifteen (15) minutes to eat the breakfast.

The operation and supervision of the food service program shall be the responsibility of the () **School Nutrition Program Director ()** _____. The District will adhere to the professional standards for school nutrition personnel who manage and operate the food service program, including the requirements related to hiring and training that are set forth in USDA regulations and AP 8500A.

Further, as required by USDA regulations and upon recommendation of the Superintendent, the Board will annually certify:

the School Nutrition Program Director meets the hiring standards and training requirements set forth in USDA regulations; and

each employee in the food service program has completed the applicable training requirements set forth in USDA regulations.

[NOTE: F.S. 595.405(4) requires the Board to conduct two (2) public hearings before adopting or rejecting a policy which makes universal-free school breakfast meals available to all students in each elementary, middle, and high school in which eighty percent (80%) or more of the students are eligible for free or reduced-price meals. Following the public hearings, the Board may choose whether or not to include either Option 1 or the second paragraph of Option 2 in this section of the policy.]

[] Option 1

Breakfast meals shall be available to all students in each elementary, middle, and high school. The Board will do so by participating in the National School Breakfast Program and offering paid, free, and reduced-price breakfast meals in accordance with the USDA Guidelines.

The food service program shall comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages, including but not limited to the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards as well as to the fiscal management of the program.

[] Option 2

Breakfast meals shall be available to all students in each elementary, middle, and high school. The Board will do so by participating in the National School Breakfast Program and offering paid, free, and reduced-priced breakfast meals in accordance with USDA Guidelines.

[] Further, the Board shall offer breakfast meals free of charge to all students in each elementary, middle, and high school in which eighty percent (80%) or more of the students are eligible for free or reduced-price meals.

[END OF OPTIONS]

The Board shall provide a Federal food service program for students during summer intervention programs that are mandated under Federal law. If the Board determines that it is unable to provide a Federal food service program during the summer, for financial reasons, the Board will communicate that decision to its residents in a manner it determines to be appropriate.

The Board shall approve and implement nutrition standards governing the types of food and beverages that may be sold on the premises of its schools and shall specify the time and place each type of food or beverage may be sold.

In adopting such standards, the Board shall:

consider the nutritional value of each food or beverage;

consult with a dietitian licensed under F.S. 468.509, a dietetic technician registered by the commission on dietetic registration, or a school nutrition specialist certified or credentialed by the school nutrition association;

consult and incorporate to the maximum extent possible the dietary guidelines for Americans jointly developed by the United States Department of Agriculture (USDA) and the United States Department of Health and Human Services; and

consult and incorporate the USDA Smart Snacks in School nutrition guidelines.

No food or beverage may be sold on any school premises except in accordance with the standards approved by the Board.

The Superintendent shall recommend and the Board shall approve the cost of meals for elementary, middle, and high schools annually.

Meal Charges

The Board recognizes that circumstances may result in a student needing to charge for meals if his/her account has an insufficient balance to cover the charge. However, no account will be allowed to exceed a significant negative balance except as established below.

The Superintendent shall develop procedures regarding meal charges, which shall be implemented by the _____ . This procedure will provide direction so that students Districtwide who are eligible for reduced price or who pay the established price for meals, but do not have funds in their account or in hand to cover the cost of their meal at the time of service are treated consistently, that parents of students who charge meals are notified when a student charges a meal, and that efforts are made to collect the charges made so that the unpaid charges are not classified as “bad debt” at the end of the school year.

A student whose account has a significant negative balance may not charge or purchase “a la carte” items, including extra main course entrees.

[CHOOSE ONE OPTION]

[] OPTION 1

If a student has a significant negative lunch account balance, s/he shall be provided a regular reimbursable meal that follows the USDA meal pattern, the cost of which shall continue to accrue to his/her significant negative balance. The student's parent(s) shall be contacted to collect the outstanding charges.

[END OF OPTION 1]

[] OPTION 2

If a student has a significant negative lunch account balance, s/he shall be provided an alternate meal () at a reduced price recommended by the Superintendent and approved by the Board **[End of Option]**, the cost of which shall continue to accrue to his/her significant negative balance, and his/her parent(s) shall be contacted to collect the outstanding charges. The alternate meal will be a low-cost alternative to the regular reimbursable meal and shall meet USDA nutritional standards or the Smart Snacks in Schools regulations so that it qualifies for reimbursement under the National School Lunch/Breakfast Program.

[END OF OPTION 2]

If the negative balance is not brought to a positive balance within _____ days of these efforts, the School District will take action to collect the unpaid debt by means of () collection agencies () small claims court () other legal methods deemed necessary by the School District.

If a student withdraws or graduates and has a positive balance of less than \$____, the balance may be receipted into the () school lunch fund () extra-curricular activity fund where the school lunch program funds are maintained unless the parent requests a refund. If a student withdraws or graduates with a positive balance greater than \$____ **[use the same amount as above]**, the () parents () student shall be notified by mail and given the option of receiving a refund within _____ days. If no response is received within _____ days, the account will be closed and the funds will no longer be available. Unclaimed balances will be transferred to () the school lunch fund () the extra-curricular activity fund where the school lunch program funds are maintained.

The Board's policy and Superintendent's procedure related to meal charges shall be distributed in writing to all households at the start of each school year and to households transferring to the school or School District during the school year. This guideline will provide directions for students who are eligible for reduced price or

paid meals but do not have funds in their account or in hand to cover the cost of their meal at the time of service.

Dietary Modifications

A request for substitutions to the standard meal requirements due to food allergies shall be accommodated, when requested by an adult student with a disability or the parent of a student with a disability, without delay and at no additional charge. The adult student with a disability or the parent of a student with disability making such a request of the Food Service Director shall be informed that medical certification that the student has a disability that restricts his/her diet, in accordance with the criteria set forth in 7 C.F.R. Part 15b must be submitted within _____ (_____) school days from a health care provider who has prescriptive authority in the State of Florida or the dietary modification may be discontinued until such statement is received.

The medical certification must identify:

the child's physical or mental impairment and why the student's disability or medical conditions necessitates such a restriction of the child's diet;

an explanation of why the food service program must do to accommodate the child's disability; and

the food(s) to be omitted from the student's diet and the recommended food or choice of foods that must be substituted (e.g., caloric modifications or use of liquid nutritive formula).

After a request for a dietary modification is submitted to the Director of Food Service, the Director of Food Service shall, in turn, notify the Principal, school nurse, and the members of the student's IEP or 504 Team that the dietary modification shall be made for the student, pending the receipt of the required medical certification.

If deemed necessary by the student's IEP or 504 Team, the dietary modification shall be included in the student's IEP or 504 plan.

An adult student with a disability or the parent of a student with a disability who believes the accommodation requested is not being appropriately addressed may access the processes and assistance described in Policy

2260 and/or Policy 2260.01 by contacting the District's Compliance Coordinator named in those policies.

A request for substitutions to the standard meal requirements due to food allergies shall be accommodated, when requested by an adult student who is not identified as having a disability or the parent of a student who is not identified as having a disability, without delay and at no additional charge. An adult student who is not identified as having a disability or the parent of a student who is not identified as having a disability making such a request of the Director of Food Service shall be informed that a signed medical statement from a health care provider who has prescriptive authority in the State of Florida that the student cannot consume certain food items due to a medical condition or some other special dietary need must be submitted within _____ (_____) school days or the dietary modification may be discontinued until such statement is received.

To qualify for continuing consideration and substitutions the medical statement must identify:

the medical or dietary need that restricts the student's diet;

the food(s) to be omitted from the student's diet and the food(s) or choice of foods that may be substituted;
and

the food(s) to be omitted from the student's diet and the recommended food or choice of foods that must be substituted (e.g., caloric modifications or use of liquid nutritive formula).

The request for such dietary modifications shall be submitted to the Director of Food Service, who shall, in turn, notify the Principal and school nurse that the dietary modification shall be made for the student. Upon request of the parent or adult student, a meeting of a team including the parent, the Director of Food Service, school nurse, and Principal shall be convened to determine the specific substitution(s) that will be made to the standard meal pattern for the student.

For non-disabled students who need a nutritionally equivalent milk substitute, only a signed request by a parent or guardian is required.

[Choose one of the following two options.]

The food service program shall not accommodate a student's request for specific substitutions to the standard meal pattern requirements that is based solely on religious or lifestyle choices.

The food service program shall accommodate a student's request for specific substitutions to the standard meal pattern requirements that is based solely on religious or lifestyle choices.

[End of Options]

In addition to students, lunches sold by the school may be purchased by staff members and community residents in accordance with administrative guidelines established by the Superintendent. Lunches may be made available, free of charge, to senior citizens who are serving as volunteers to the District.

In each school cafeteria, there shall be a poster that is easily visible and prominently placed that contains step-by-step instructions on how to provide emergency first aid for choking on conscious individuals. During all times while the food service program is operating and students are being served food, at least one (1) employee shall be present in the area in which the food is being consumed who has received instruction in methods to prevent choking and demonstrated an ability to perform the Heimlich maneuver.

Food Safety Compliance

In addition, as required by law, a food safety program that is based on the principles of the Hazard Analysis and Critical Control Point (HACCP) system shall be implemented with the intent of preventing food-borne illnesses. For added safety and security, access to the facility and the food stored and prepared therein shall be limited to food service program staff and other authorized persons.

In accordance with Federal law, the _____ shall take such actions as are necessary to obtain a minimum of two (2) food safety inspections per school year, which are conducted by the State or local governmental agency responsible for food safety inspections. The report of the most recent inspection will be posted in a publicly visible location, and a copy of the report will be available upon request.

[Please note: Schools participating in more than one (1) child nutrition program are only required to obtain two (2) food safety inspections per school year if the nutrition programs offered use the same

facilities for the preparation and service of meals. Also, the requirement for two (2) inspections does not apply to schools that only offer the Special Milk Program.]

A periodic review of the food-service accounts shall be made by the _____ . Any surplus funds from the National School Lunch Program shall be used to reduce the cost of the service to students or to purchase cafeteria equipment. Surplus funds from a-la-carte foods may accrue to the food-service program.

Bad Debt

Meal charges that are not collected in the year when the debt was incurred shall be classified as bad debt. Bad debt incurred through the inability to collect lunch payment from students is not an allowable cost chargeable to any Federal program. Once classified as bad debt, non-Federal funding sources shall reimburse the school lunch program account for the total amount of the bad debt. If funds to reimburse the District for this bad debt are not available from another source, such as school or community organizations (like the PTA) or any other non-Federal source, the funds to reimburse the school lunch program shall be transferred from the District's general fund or other State or local funding to make that reimbursement.

Once the uncollectable/delinquent debt charges are converted to bad debt, records relating to those charges must be maintained in accordance with the record retention requirements in 7 C.F.R. 210.9(b)(17) and 7 C.F.R. 210.15(b).

Any related collection cost, including legal cost, arising from such bad debt after they have been determined to be uncollectible are also unallowable.

Operation of the Food Service Program

With regard to the operation of the school food service program, the Superintendent shall require:

the maintenance of sanitary, neat premises free from fire and health hazards;

the preparation of food that complies with Federal food safety regulations;

the planning and execution of menus in compliance with USDA requirements;

the purchase of food and supplies in accordance with State and Federal law, USDA regulations, and Board policy; (see Policy 1129, Policy 1214, Policy 3129, Policy 3214, Policy 4129, Policy 4214, and Policy 6460)

complying with food holds and recalls in accordance with USDA regulations;

the administration, accounting, and disposition of food-service funds pursuant to Federal and State law and USDA regulations;

the safekeeping and storage of food and food equipment pursuant to State and Federal law and USDA regulations;

the regular maintenance and replacement of equipment;

all District employees whose salaries are paid for with USDA funds or non-Federal funds used to meet a match or cost share requirement must comply with the District's time and effort record-keeping policy (see Policy 6116).

The Superintendent will require that the food service program serve foods in the schools of the District that reinforce the nutrition concepts taught in the classrooms.

The District shall serve only nutritious food in accordance with the nutritional standards adopted by the Board in compliance with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition guidelines. Foods and beverages in competition with the District's food-service program must comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition guidelines, and may only be sold in accordance with Board Policy 8550.

The Superintendent is responsible for implementing the food service program in accordance with the adopted nutrition standards and shall provide a report regarding the District's compliance with the standards at one of its regular meetings annually.

See also AP 8500A.

F.S. 595.405

F.S. 1001.41

F.S. 1001.42

F.S. 1001.51

[F.S. 1003.02](#)

F.S. 1013.12

F.A.C. 5P-1.002

F.A.C. 5P-1.003

F.A.C. 5P-1.004

F.A.C. 5P-1.005

42 U.S.C. 1758

Health, Hunger-Free Kids Act of 2010 and Richard B. Russell

National School Lunch Act, 42 U.S.C. 1751 et seq.

Child Nutrition Act of 1966, 42 U.S.C. 1771 et seq.

7 C.F.R. Part 15b

7 C.F.R. Part 210

7 C.F.R. Part 215

7 C.F.R. Part 220

7 C.F.R. Part 225

7 C.F.R. Part 226

7 C.F.R. Part 227

7 C.F.R. Part 235

7 C.F.R. Part 240

7 C.F.R. Part 245

7 C.F.R. Part 3015

80 F.R. 11077

OMB Circular No. A-87 USDA Smart Snacks in School Food Guidelines (effective July 1, 2014)

SP 32-2015 Statements Supporting Accommodations for Children with Disabilities in the Child Nutrition Programs

Legal References

F.S. 595.405

F.S. 1001.41

F.S. 1001.42

F.S. 1001.51

F.S. 1013.12

F.S. 1003.02

F.A.C. 5P-1.002

F.A.C. 5P-1.003

F.A.C. 5P-1.004

F.A.C. 5P-1.005

42 U.S.C. 1758

Health, Hunger-Free Kids Act of 2010 and Richard B. Russell National School Lunch Act, 42 U.S.C. 1751 et seq.

Child Nutrition Act of 1966, 42 U.S.C. 1771 et seq.

7 C.F.R. Part 15b

7 C.F.R. Part 210

7 C.F.R. Part 215

7 C.F.R. Part 220

7 C.F.R. Part 225

7 C.F.R. Part 226

7 C.F.R. Part 227

7 C.F.R. Part 235

7 C.F.R. Part 240

7 C.F.R. Part 245

7 C.F.R. Part 3015

80 F.R. 11077

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SP 32-2015 Statements Supporting Accommodations for Children with Disabilities in the Child Nutrition Programs



Book: Local Policies for Update

Section: Vol. 24, No. 1, July 2023

Title: Revised Policy - Vol. 24, No. 1, July 2023 - TRANSPORTATION

Number: po8600

Revised Policy - Vol. 24, No. 1

8600 - TRANSPORTATION

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

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

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

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

Students living within _____ miles of school may be provided District bus transportation under the following conditions:

Permanently disabled students, whose Individual Education Plan requires special transportation.

Temporarily disabled students upon request and verification of disability and length of time of disability.

Students whose walking routes to school meet the State criteria for hazardous walking conditions.

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

Elementary students residing within _____ miles of their school may be provided bus transportation at the discretion of the principal and upon payment of a fee established by the Board. This transportation will only be provided if seats are available on existing buses serving the school and the student gets to an established bus stop.

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

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

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

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

[CHOOSE EITHER OPTION 1 OR OPTION 2 BELOW]

() [OPTION 1]

Duties and Responsibilities of the Director of Transportation

Counsel with school bus operators regarding safety and efficiency of service to schools and to make recommendations to them for improvement in service.

Recommend to the Superintendent the initial or continued employment of bus operators, and other transportation personnel.

Instruct school bus operators in procedures to be followed in conducting school bus emergency evacuation drills and confer with each Principal regarding scheduling, conducting, and documenting school bus evacuation drills. These procedures shall include a requirement that all operators of school buses transporting students, teachers, or chaperones on field and activity trips instruct all passengers in the locations and proper use of school bus emergency exits prior to each such trip.

Counsel with bus operators regarding operator responsibility and authority, as well as job performance.

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

Duties and Responsibilities of the Principal

Assume responsibility under the direction of the Superintendent for all student disciplinary cases that arise in connection with transportation in accordance with Florida statutes, Florida State Board Rule, and the Student

Code of Conduct.

Instruct students as a part of their safety program on the rules pertaining to student transportation, walking to and from school, bicycle, and other vehicle operations.

Develop at the school a parking policy for the safety of students, visitors, and staff while operating or parking personal vehicles on campus.

Conduct, at a minimum, during the first six (6) weeks of each semester, school bus evacuation drills, and maintain documentation for these drills.

Develop a plan for the supervision of transported students who arrive early or remain late.

Designate places for students to get on and off school buses at the school site, and provide supervision of the loading/unloading zone.

Provide instruction for all transported students in safe practices on and off the bus during the first six (6) weeks of the first semester of the school year.

Request authority in writing for transportation of students on field trips and activity trips, or other special trips, and to plan such trips in accordance with policies approved by the Board.

Duties and Responsibilities of the Bus Operator

Pass all required physical examinations and meet such requirements as may be prescribed by State law, State Board rules, or Board policy.

Be clean and neat in appearance, and to refrain from wearing shoes that are not securely held on the foot.

Refrain from use of tobacco while operating the bus, as well as the use of profane language in the presence of the students. Operators shall not use or be under the influence of alcohol, illicit drugs, or any substance that may impair the operator's alertness or performance while on duty. Operators shall not carry firearms

while on school board property.

Prescribe, in cooperation with the Principal, the seating arrangements of students.

Report needed changes in school bus transportation to the Director of Transportation including, but not limited to, bus loads, bus deficiencies, road hazards, routes, and schedules.

Study and observe all laws, rules of the State Board, and policies of the Board relating to transportation.

Attend and participate in conferences and training classes for school bus operators, and be prepared at any time to pass successfully a reasonable examination concerning traffic laws, State and local transportation rules, and driving skills.

Require that transported students observe all rules prescribed by law, State Board rule, and the policies of the Board.

Maintain order and discipline, under the direction of the Principal, on the part of every passenger.

Permit students to leave the bus only at their assigned stop, except upon written authorization of the Principal.

Observe all procedures incorporated in the Florida Department of Education Basic School Bus Operator's Curriculum.

Instruct transported students in safe riding practices.

Require all passengers to remain seated and to keep aisles and exits clear.

Participate in emergency evacuation drills at least once each school semester under the direction of the Principal.

Use the bus, if it is publicly owned, only to transport students to and from school, except upon specific

direction of the Superintendent or the Principal upon written authorization by the Superintendent.

Prepare immediately after every accident involving the bus or a school bus passenger an accident report to be filed with the Director of Transportation.

Ascertain and ensure that all persons are off the bus before filling fuel tank.

Drive always at a safe speed and never in excess of the legally posted speed limit in business or residential districts, or fifty-five (55) miles per hour outside business or residential districts.

Cooperate with duly authorized school officials, mechanics, and other personnel in the mechanical maintenance and repair of the bus, and in overcoming hazards that threaten the safety or efficiency of service.

Inspect the bus

() daily prior to the beginning of the first daily trip,

() prior to the beginning of the first trip each morning and the first trip each afternoon,

and report any defect affecting safety or economy of operation immediately to authorized service personnel. The inspection shall include all items identified in the procedures related to the mandatory daily inspection in the Basic School Bus Operator Curriculum.

Keep the bus clean and neat at all times and not affix any stickers or other unauthorized items to the interior or exterior of buses.

Prepare reports, keep all records required, and otherwise assist school officials in mapping bus routes, planning schedules and in obtaining information for a continuous study of all phases of transportation service.

Wear a seat belt at all times when the bus is in operation.

Use roof-mounted white flashing strobe lights, if the bus is so equipped, whenever headlights are required to be used due to reduced visibility conditions pursuant to F.S. 316.217(1)(b), except that insufficient light due only to the time of day or night shall not require use of the strobe light.

Report the following immediately to the Director of Transportation, Principal, or other designated officials:

misconduct on the part of any student while on the bus or under the operator's immediate supervision;

complaints requiring attention of school authorities;

any hazards arising that would offer either an actual or a potential threat to the safety of students in the operator's care;

causes for failure to maintain school bus time schedule; and

overloaded conditions on the bus that exceed the rated capacity of the bus.

Perform a complete interior inspection of each bus after each run and trip to ensure no students are left on board.

Maintain as far as practicable by patient and considerate treatment of parents a feeling of security in the safety of students transported.

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

The operator or attendant of a bus transporting students shall remain with the bus so that students aboard will be under supervision at all times, except to call for assistance in case of an emergency or accident involving the students or bus.

In cases where a student with physical disabilities is unable to leave the area of a student stop without

assistance, the school bus operator shall not assume responsibility for such assistance except in an emergency that threatens the safety of such student or students.

The operator and attendant (if used) shall be provided certified cardiopulmonary resuscitation (CPR) and first aid training along with other required pre-service training prior to transporting students, and shall receive CPR and first aid refresher in-service training at least biennially; however, the operator and attendant (if used) shall not give medicine and shall limit their assistance to that which may normally be expected of a reasonable, prudent person or as specified in the student's Individual Educational Plan or Individualized Seizure Action Plan.

School bus operators and attendants (if used) shall receive information regarding each affected student's Individualized Seizure Action Plan and appropriate training regarding how to provide recommended care if the student shows symptoms of the epilepsy or seizure disorder, in accordance with F.S. 1006.062. The student's parent and emergency contact information will also be provided to bus operators and attendants.

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

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

to ensure the safe travel of their students during the portions of each trip to and from school and home when the students are not under the custody and control of the District, including during each trip to and from home and the assigned bus stop when the District provides bus transportation;

to ensure that students ride only on their assigned school buses and get off only at assigned bus stops, except when the District has approved, upon the request of the parent or guardian, alternative buses or arrangements;

to ensure students are aware of and follow the District's adopted Code of Student Conduct while the students are at school bus stops and provide necessary supervision during times when the bus is not present; and

to ensure that, when the physical disability of the student renders the student unable to get on and off the bus without assistance, the parent or guardian provides the necessary assistance to help the student get on and off at the bus stop, as required by District policy or the student's individual educational plan.

[END OPTION 1]

() [OPTION 2]

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

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

The operator or attendant of a bus transporting students shall remain with the bus so that students aboard will be under supervision at all times, except to call for assistance in case of an emergency or accident involving the students or bus.

In cases where a student with physical disabilities is unable to leave the area of a student stop without assistance, the school bus operator shall not assume responsibility for such assistance except in an emergency that threatens the safety of such student or students.

The operator and attendant (if used) shall be provided training related to students; however, the operator and attendant (if used) shall not give medicine and shall limit his/her assistance to that which may normally be expected of a reasonable, prudent person or as specified in the student's Individual Educational Plan.

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

Further, the Superintendent shall require the Director of Transportation to consider the knowledge, skills, and

abilities related to student management techniques, as well as the characteristics of students with disabilities, when selecting or assigning operators and attendants for routes serving ESE students.

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

to ensure the safe travel of their students during the portions of each trip to and from school and home when the students are not under the custody and control of the District, including during each trip to and from home and the assigned bus stop when the District provides bus transportation;

to ensure that students ride only on their assigned school buses and get off only at assigned bus stops, except when the District has approved, upon the request of the parent or guardian, alternative buses or arrangements;

to ensure students are aware of and follow the District's adopted Code of Student Conduct while the students are at school bus stops and provide necessary supervision during times when the bus is not present;

to ensure that, when the physical disability of the student renders the student unable to get on and off the bus without assistance, the parent or guardian provides the necessary assistance to help the student get on and off at the bus stop, as required by District policy or the student's individual educational plan.

[End of Option 2]

[Option 3]

Public Reporting of Improper Driving or Operation by a Bus Driver

Pursuant to State law, the Board hereby establishes _____ as a toll-free telephone hotline for motorists or others who observe improper driving or operation by a school bus driver to report such violations to the Board for investigation and corrective or disciplinary action.

[END OF OPTION 3]

[] School Bus Infraction Detection Systems

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

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

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

Signage on School Buses

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

the words "STOP WHEN RED LIGHTS FLASH" or "DO NOT PASS WHEN RED LIGHTS FLASH";

the words "CAMERA ENFORCED"; and,

a graphic depiction of a camera.

The signage must occupy at least seventy-five percent (75%) of the available space that does not contain signs

or insignia that are required by other applicable law or by the State Board of Education.

Notice to the Public

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

Violations

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

a copy of the recorded video and images showing the motor vehicle allegedly violating F.S. 316.172(1)(a) or (b);

the motor vehicle's license plate number and the state of issuance of the motor vehicle's license plate; and,

the date, time, and location of the alleged violation.

Videos and Images of Alleged Infractions

Notwithstanding any other law, equipment deployed as part of a school bus infraction detection system will not be capable of automated or user-controlled remote surveillance. Video and images recorded as part of the school bus infraction detection system may only be used to document violations of F.S. 316.172(1)(a) and (b) and may not be used for any other surveillance purposes. To the extent practicable, a school bus infraction

detection system will utilize necessary technology so that personal identifying information contained in the video or still images recorded by the system which is not relevant to the alleged violation, including, but not limited to, the identity of the driver and any passenger of a motor vehicle, the interior or contents of a motor vehicle, the identity of an uninvolved person, a number identifying the address of a private residence, and the contents or interior of a private residence, is sufficiently obscured so as not to reveal such personal identifying information.

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

Quarterly Reporting to the Florida Department of Education

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

[END OF OPTION]

F.S. 316.173

F.S. 316.183(3)

F.S. 316.217(1)(b)

F.S. 1006.21

F.S. 1006.22

F.S. 1006.23

F.S. 1011.68

F.S. 1012.45

F.A.C. Chapter 6A-3

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Legal References

F.S. 316.173

F.S. 316.183(3)

F.S. 316.217(1)(b)

F.S. 1006.21

F.S. 1006.22

F.S. 1006.23

F.S. 1011.68

F.S. 1012.45

F.A.C. Chapter 6A-3



Book: Local Policies for Update

Section: Vol. 24, No. 1, July 2023

Title: Revised Policy - Vol. 24, No. 1, July 2023 - TRANSPORTATION ROUTE PLANNING

Number: po8610

Revised Policy - Vol. 24, No. 1

8610 - TRANSPORTATION ROUTE PLANNING

School bus **and other School Board-approved vehicle** routes shall be scheduled along regularly maintained all-weather highways in such a manner as to utilize the maximum time, distance, and number of students transported. All-weather roads are defined as: hard-surfaced construction regularly maintained pavement, parked marl, etc.; twenty (20) feet in width; shoulder clearance of five (5) feet on each side; overhead clearance twelve (12) feet under all weather conditions; free from obstruction, and free from bridges less than bus weight.

School buses **and other Board-approved vehicles** may be directed on circuitous routes in order to avoid stops on four-lane or heavily traveled highways, or at the end of bus routes, if recommended by the Superintendent and approved by the **School** Board.

School bus routes Routes shall be designated to the maximum extent possible so the need for backing or a three-point turnaround is eliminated.

Bus stops Stops shall be designated at the most reasonably safe location for the area being served. There shall be a minimum distance of _____ feet between **bus**-stops unless an unusual circumstance dictates otherwise. Whenever possible, **school bus**-stops shall not be designated where the visibility is obscured for a distance of _____ feet either way **from the bus**.

Legal References

F.S. 1006.21

F.S. 1006.22



Book: Local Policies for Update
Section: Vol. 24, No. 1, July 2023
Title: Revised Policy - Vol. 24, No. 1, July 2023 - ALTERNATIVE TRANSPORTATION METHODS
Number: po8660

Revised Policy - Vol. 24, No. 1

8660 - ALTERNATIVE TRANSPORTATION METHODS

~~Regular Transportation - In School Buses~~

~~The School Board shall use school buses, as defined in Florida statutes, for all regular transportation of students, pre-kindergarten through grade 12. School buses are to be used whenever practical.~~

For purposes of this policy, "regular transportation" or "regular use" means transportation to and from school or school-related activities which are part of a scheduled series or sequence of events to the same location.

[DRAFTING NOTE: House Bill 1 (2023) modified F.S. 1006.21 and 1006.22 to give greater flexibility to school boards regarding student transportation, including by buses and other vehicles. Please select from any of the options below that are utilized by the School Board.]

[] Regular Transportation - In School Buses

The School Board [] shall [] may **[END OF OPTION]** use school buses, as defined in Florida statutes, for all regular transportation of students, pre-kindergarten through grade 12. [] School buses are to be used whenever practical.

[END OF OPTION]

[] Regular Transportation - In Other Vehicles

Regular transportation of students in motor vehicles other than school buses may occur only under the following conditions:

() when transportation is for physically handicapped or isolated students and the Board has elected to provide for the transportation of the student through written [] or oral **[END OF OPTION]** contracts or agreements.‡

[DRAFTING NOTE: Neola recommends that any agreement to regularly transport a physically handicapped or isolated student by means other than a school bus be memorialized in a written agreement]

() when the transportation is part of a comprehensive contract for a specialized educational program between the Board and a service provider for instruction, transportation, and other services.‡

() when the transportation is provided through a public transit system.‡

() when the transportation is for trips to and from school sites or agricultural education sites or for trips to and from agricultural education-related events or competitions but is not customary transportation between a student's residence and such sites; ~~and~~.

() when the transportation is for trips to and from school sites but is not customary transportation between a student's residence and such sites.

() _____

() _____

When the regular transportation of students is provided, as authorized above, in a vehicle other than a school bus that is owned, operated, rented, contracted, or leased by the District, the following provisions shall apply:

The vehicle must be designed to transport fewer than ten (10) students or be a multifunction school activity bus, as defined in 49 C.F.R. Part 571.3, if it is designed to transport more than ten (10) persons. Students must be transported in designated seating positions and must use the occupant crash protection system provided by the manufacturer unless the student's physical condition prohibits such use.

An authorized vehicle may not be driven by a student on a public right-of-way. An authorized vehicle may be driven by a student on school or private property as part of the student's educational curriculum if no other student is in the vehicle.

The driver of an authorized vehicle transporting students must maintain a valid driver license and must comply with the requirements of the School District's locally adopted safe driver plan, which includes a review of driving records for disqualifying violations.

[END OF OPTION]

Transportation by Private Vehicles

Option 1

Transportation of students in private vehicles may be authorized by the principal on a case-by-case basis.

[END OF OPTION 1]

Option 2

~~Except as provided above, the transportation~~Transportation of students in private vehicles may be authorized by the principal on a case-by-case basis only under the following conditions:

When a student is ill or injured and must be taken home or to a medical treatment facility under non-

emergency circumstances and

() the school has been unable to contact the student's parent or guardian, or such parent, guardian, or responsible adult designated by the parent or guardian is not available to provide the transportation; and

() proper adult supervision of the student is available at the location to which the student is being transported; and

() the transportation is approved by the school principal or designee; and

() if the school had been unable to contact the parent or guardian prior to the transportation, the school continues to attempt to contact the parent or guardian until the school is able to notify the parent or guardian of the transportation and the circumstances.

() _____

() When the transportation is in connection with a school function or event in which the school has undertaken to participate and

() the function is a single event which is not part of a scheduled series or sequence of events to the same location; such as, but not limited to, a field trip, recreational outing, a competitive or cooperative event, or an event connected to an educational program; and

() transportation is not available, as a practical matter, using a school bus or Board passenger car; and

() each student's parent or guardian is notified in writing about the transportation arrangement and gives written consent before a student is transported in a private vehicle.

() When Board employees are required to use their own vehicle to perform duties of employment and such duties include the occasional transportation of students.

[END OF OPTION 2]

Any private vehicle used to transport students under this policy shall be currently registered in the State of Florida, be insured for personal injury protection and property damage liability in at least the minimum amounts required by law, and be in good working order. A Board employee, parent, or other adult wishing to transport students in a private vehicle will request approval by submitting his/her driver's license, vehicle registration, and insurance ID card along with the completed Form 8660 F1 to the principal in a reasonable amount of time before the planned travel. The principal will follow the established procedure to determine whether approval of the request to transport students in a private vehicle is appropriate.

Student transportation in private vehicles may only be authorized for trips within the State of Florida. A student who is transported to an activity in a private vehicle approved under this policy shall return from the activity in the same vehicle unless the student is released to his/her parent.

[END OF OPTION]

Insurance/Liability

Board employees will be covered by the Board's liability program when they are transporting students as part of their assigned or related duties. Benefits due from private vehicle insurance will be primary, except for workers' compensation, in accordance with State law.

Parents or other adults are not covered by the Board's liability program when they are transporting students and, therefore, must have adequate insurance during the time that the vehicle is being used to transport students.

Emergency Threat to Student Health or Safety

Notwithstanding any other provision of this policy, in an emergency situation which constitutes an imminent threat to student health or safety, school personnel may take whatever action is necessary under the circumstances to protect students.

Any violation of this policy may subject an employee to discipline up to and including termination from

employment.

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Legal References

F.S. 1006.22



Book: Local Policies for Update

Section: Vol. 24, No. 1, July 2023

Title: Revised Policy - Vol. 24, No. 1, July 2023 - RELIGIOUS AND OTHER CEREMONIES AND OBSERVANCES

Number: po8800

Revised Policy - Vol. 24, No. 1

8800 - RELIGIOUS AND OTHER CEREMONIES AND OBSERVANCES

~~Decisions of the United States Supreme Court have made it clear that it is not the province of a public school to advance or inhibit religious beliefs or practices. Under the First and Fourteenth Amendments to the Constitution, this remains the inviolate province of the individual and the church of his/her choice. The rights of any minority, no matter how small, must be protected. No matter how well intended, either official or unofficial sponsorship of religiously-oriented activities by the school are offensive to some and tend to supplant activities which should be the exclusive province of individual religious groups, churches, private organizations, or the family.~~

The School Board acknowledges that the U.S. Constitution prohibits it from adopting any policy or rule promoting or establishing a religion or any policy that unlawfully restricts any person's free exercise of the individual right to worship enjoyed by all persons. Within the confines to this legal framework, the Board adopts the following policy to address the scope of these rights and the District's authority within its own facilities or during events.

As public employees, while on duty and acting within the scope of employment or pursuant to official duties as opposed to in their capacity as private citizens, District staff members shall not use prayer, religious readings, or religious symbols as a devotional exercise or in an act of worship or celebration. Staff are expected to avoid circumstances where the staff member's expression of religious views could be reasonably construed as an endorsement or approval of the message by the school or District. Nothing in this policy or its application shall serve to prohibit or interfere with any staff member's free exercise of their religious views in circumstances not

covered by this policy.

Nothing in this policy prohibits teaching about various religions and religious practices in a manner consistent with any adopted District course curriculum. This instruction may include discussion of religious holidays and customs in a manner related to the curriculum that does not give the appearance of an endorsement of one religion over other religions or favoring either a system or religious beliefs or of other beliefs, such as atheism or agnosticism. Observance of religious holidays through devotional exercises or acts of worship is also prohibited.

The District shall not act as a disseminating agent for any person or outside agency for any religious or anti-religious document, book, or article. Distribution of such materials on District property by any party shall be in accordance with Policy 7510 and AP 7510A - *Use of District Facilities* and Policy 9700 and AP 9700 - *Relations with Special Interest Groups*.

~~Federal law prohibits the School Board from adopting any~~ Students are not prohibited by this policy, ~~or rule respecting or promoting an establishment of religion. Further, Federal and State law prohibits the Board from adopting any policy or rule, or from entering into any agreement, prohibiting any student or staff member~~ or any procedure promulgated pursuant to this policy, from engaging in the free, individual, and voluntary exercise or expression of the ~~individual's~~ student's religious beliefs. However, such exercise or expression may be limited to lunch periods or other non-instructional time periods when students ~~and staff~~ are free to associate, ~~or on an individual basis in a manner that does not disrupt the educational process.~~

~~Observance of religious holidays through devotional exercises or acts of worship is also prohibited.~~

~~Acknowledgment of, explanation of, and teaching about religious holidays of various religions is encouraged.~~

Celebration activities involving nonreligious decorations and use of secular works are permitted, but it is the responsibility of all faculty members to ensure that such activities are strictly voluntary, do not place an atmosphere of social compulsion or ostracism on ~~minority~~ groups or individuals, and do not interfere with the regular school program.

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

The Board shall not include religious invocations, benedictions, or formal prayer at any school-sponsored event.

Moment of Silence

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

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

Veterans Day

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

Celebrate Freedom Week

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

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Legal References

F.S. 1000.06

F.S. 1002.20

F.S. 1003.421

F.S. 1003.44

F.S. 1003.4505

20 U.S.C. 4071 et seq.

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

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