Agenda
Public Hearing on Tentative Budget/Millage Rates at 5:05pm per TRIM requirements and Public Hearing and approval of Policies
Updated 7-26-2024

July 30, 2024
School Board of Manatee County
Special Meeting and Public Hearing - 5:05 PM
Walter Miller School Support Center
Board Room

Times Indicated are Approximate

1. CALL TO ORDER

2. APPROVAL OF THE AGENDA

a. Agenda Amendments - added after publishing

3. PRESENTATION

a. Presentation Regarding the 2024-2025 Tentative Millage Rate and Tentative Budget - attachment updated 7-26-2024

b. 2023-2024 FLDOE School and District Accountability

4. PUBLIC HEARING / NEW BUSINESS

a. Public Hearing Regarding the 2024-2025 Tentative Millage Rates and Tentative Budget

b. Approval of Adopting the 2024-2025 Tentative Millage Rate of 6.299

c. Approval of Adopting the 2024-2025 Tentative Budget, in the Amount of $1,590,763,809.00

d. Public Hearing for Consideration to Adopt and Amend School Board Policies

e. Approval to Adopt New Policy and Amend School Board Policies

f. Authorize the Superintendent to Utilize the Flexibility Established Per Florida Statute 1001.42(21) to Establish Salary Incentives or Other Strategies that Address the Selection, Placement, Compensation, and Expectations of Instructional Personnel, Including Executing Memorandum(s) of Understanding, up to $600,000.00 (Multiple Funding Sources)

5. PUBLIC COMMENTS AND RESPONSES (UP TO 60 MINUTES)

Public comment is not an open forum to discuss matters unrelated to education, to support or oppose candidates for public office, or to engage in commercial speech attempting to sell a service or product to the School Board or public. Also, public comment is not a forum to attack individual school system employees or Board Members. Any such complaints should be submitted in writing

to the Superintendent for appropriate handling. Finally, this is not a forum for addressing issues involving individual students. Because of privacy concerns, such issues should be submitted in writing to the Superintendent for appropriate handling. Each speaker is allowed three minutes to address the Board. Speakers must stand at the podium and not approach the dais.

This is a business meeting of the School Board and the public expects that we conduct it in an orderly, efficient, effective and dignified manner. We request that speakers keep this in mind when making your comments. We also request that the audience keep that in mind and not demonstrate approval or disapproval of what a speaker has said by clapping or booing. The Board appreciates the public's input and will listen attentively, consider each comment, and usually will not respond, enter into debate, or answer questions during comments on agenda items or during the public comments section.

PUBLIC INPUT INSTRUCTIONS:

1. Before you begin speaking, please provide any handouts to the Agency Clerk.
2. Please identify yourself only by your full name for the record.
3. You have no more than three minutes to speak. Please stop speaking when the bell rings.
4. Florida Law requires all citizens to conduct themselves in an orderly fashion at public meetings.
5. **WARNING:** Any individual who interferes with the expeditious or orderly process of a School Board meeting, will be subject to removal from the meeting pursuant to Section 1001.372(3) Florida Statutes at the discretion of the Chair. Orderly fashion is deemed as, at a minimum (1) no profanity (2) no vulgar language (3) no discourteous, disrespectful, or disparaging conduct.

6. ADJOURNMENT

AGENDA ITEM NO. 2.a

School Board of Manatee County
July 30, 2024 - Special Meeting and Public Hearing

Title
Agenda Amendments - *added after publishing*

Executive Summary
The Chair finds good cause to amend the agenda to include:

Agenda amended on Friday July 26 2024, to **update** Presentation Agenda Item *Presentation Regarding the 2024-2025 Tentative Millage Rate and Tentative Budget - attachment updated 7-26-2024* **with** attachment *Presentation - 2024-25 Tentative Budget Hearing-updated 7-26-2024.*

Agenda amended on Friday July 26, 2024 to **add** *Presentation item 2023-2024 FLDOE School and District Accountability.*

Agenda amended on Friday July 26, 2024 to **add** Public Hearing / New Business item *Authorize the Superintendent to Utilize the Flexibility Established Per Florida Statute 1001.42(21) to Establish Salary Incentives or Other Strategies up to $500,000.00 that Address the Selection, Placement, Compensation, and Expectations of Instructional Personnel, Including Executing Memorandum(s) of Understanding (Multiple Funding Sources).*

Contact
Submitting Department: School Board
Initiated By: Chad Choate

AGENDA ITEM NO. 3.a

School Board of Manatee County
July 30, 2024 - Special Meeting and Public Hearing

Title
Presentation Regarding the 2024-2025 Tentative Millage Rate and Tentative Budget - attachment *updated 7-26-2024*

Executive Summary
Rachel Sellers, Deputy Superintendent of Business Services, will make a presentation to the Board regarding the adoption of the 2024-2025 tentative millage rate of 6.2990 and the adoption of the 2024-2025 tentative budget in the amount of $1,590,763,809. The 2024-2025 Tentative Budget Book and presentation are attached for review.

Contact
Submitting Department: Business Services
Initiated By: Rachel Sellers

Attachments:
Presentation - 2024-25 Tentative Budget Hearing-updated 7-26-2024
2024-2025 Tentative Budget Book 07_30_2024

July 30, 2024
5:05 PM

FY 2024-25 Tentative Budget Hearing

Presented by:

Rachel Sellers, Deputy Superintendent of Business Services

Agenda

- Statutory Requirements/Timelines
- Roll-Back Rate
- Proposed Tentative Millage
- Proposed Tentative Budget
- Adoption of Tentative Millage Rate
- Adoption of Tentative Budget

Statutory Requirements/Timelines

Budget Hearings

Sec 200.065(2)(e)F.S.

1. Scheduling and Advertising

- Hold hearings after 5 p.m., Monday through Friday. Anytime on Saturday. No hearings on Sunday.
- BOCC must not schedule hearings on days school board has scheduled hearings
- No other taxing authority in the county can schedule hearings on days the BOCC or school board have scheduled

2. Hearing

- In the hearings, the first substantive issues to discuss are:
    a. The percentage increase in millage over the rolled-back rate needed to fund the budget
    b. The reasons ad valorem tax revenues are increasing
- Governing body will hear comments about the proposed increase and discuss proposed increase over the rolled-back rate.
- Governing body should adopt its tentative or final millage **rate** before it adopts its tentative or final **budget**. Adopt the millage first. Adopt the budget second
- Adopt the millage rate and the budget by **separate votes** at the final hearing. Adopt the millage rate first by resolution. The resolution must state the adopted millage rate and the percent, if any, by which it exceeds the rolled-back rate
- The millage rate adopted at final budget hearing cannot be higher than the rate tentatively adopted at first hearing, unless the property appraiser sends each taxpayer a revised notice of proposed property taxes before the final hearing. In this case, the property appraiser prepares the notice at the school district's expense and mails it 10 to 15 days before the final hearing

Sec 1011.62(4)(a)F.S.

- Calculate the ad valorem proceeds using **at least 96 percent** of the current year gross taxable value

Statutory Requirements/Timelines

Budget Hearings

Tentative Budget Hearing – July 30, 2024 @ 5:05 PM

- Establish tentative millage (tax) rates for the 2024-25 school year
  - Once adopted, the tentative rates cannot increase (compared to the millages proposed for final adoption), unless "the property appraiser sends each taxpayer a revised notice of proposed property taxes before the final hearing." This notification is at the school district's expense.
  - Millage rates must be adopted by separate vote

- Adopt the tentative budgets for 2024-25. There is still a significant amount of 2023-24 year-end closeout review/analysis that will occur prior to the final public hearing.

Statutory Requirements/Timelines

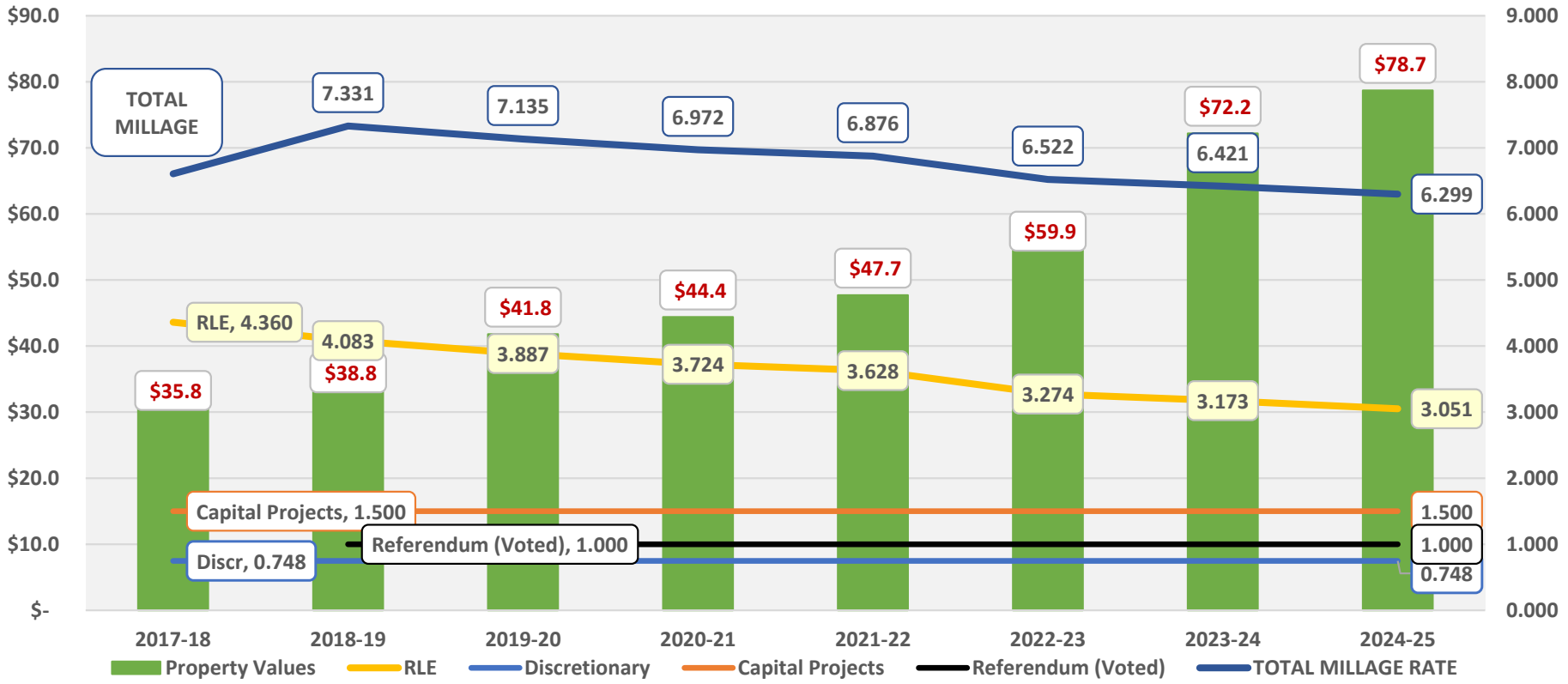
Budget Hearings

Final Budget Hearing - September 10, 2024 @ 5:05 PM

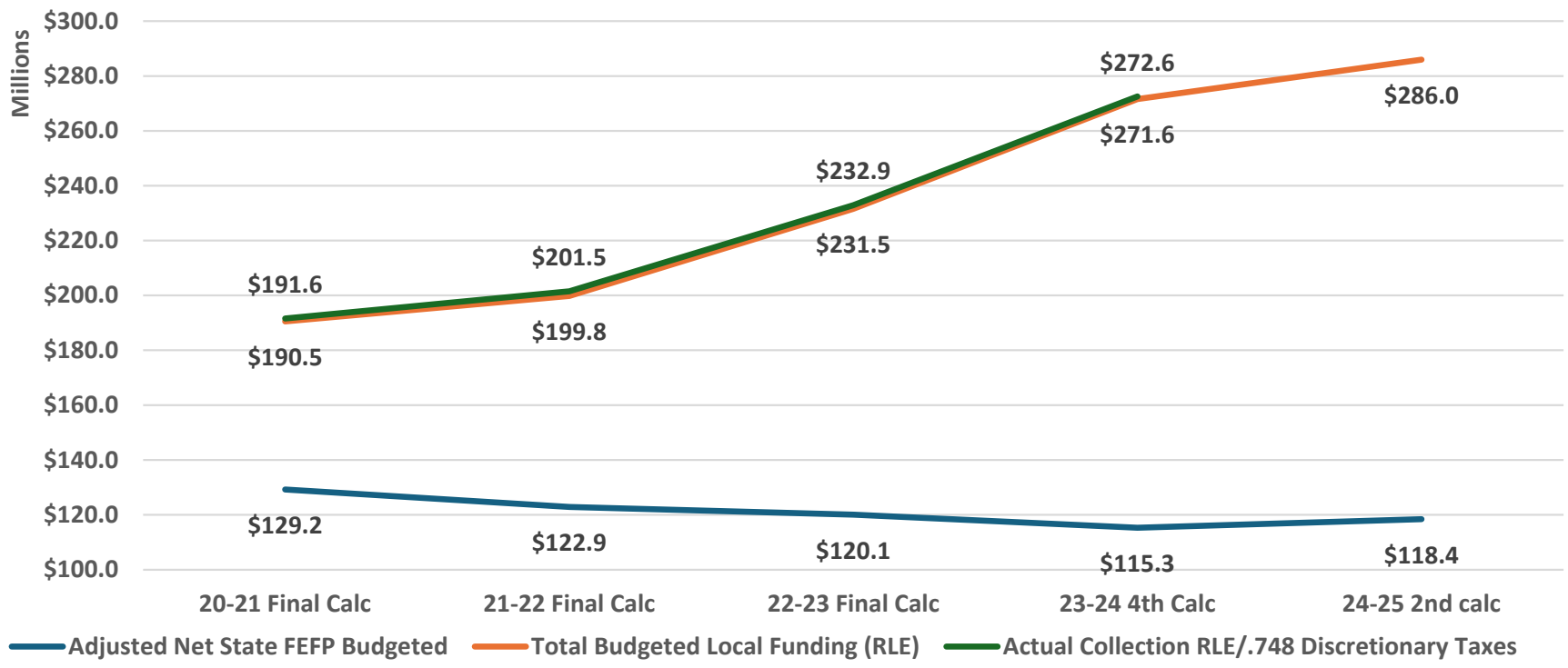
- **Establish final millage (tax) rates for the 2024-25 school year**
  - These rates cannot exceed the rates adopted at the tentative hearing on July 10, 2024, unless "the property appraiser sends each taxpayer a revised notice of proposed property taxes before the final hearing." This notification is at the school district's expense.
  - Millage rates must be adopted by separate vote

- **Adopt the final budget for 2024-25. This is the starting point for all subsequent amendments.**

Millage Rate Trends (2024-25 Tentative)



State FEFP Funding and Required Local Effort (RLE) Revenue



Proposed Tentative Millage, Roll-Back Rate

Tentative Millage Rates and Collections

Description	Rate	to be Raised @ 96% *	to be Raised @ 100% *
Gross Taxable Value			$78,658,074,018
Required Local Effort (RLE)	3.0390	$229,480,211	$239,041,887
Prior Period Funding Adjustment	0.0120	$906,141	$943,897
Capital Outlay	1.5000	$113,267,627	$117,987,111
Discretionary Operating	0.7480	$56,482,790	$58,836,239
Additional Voted Millage	1.0000	$75,511,751	$78,658,074
Total	6.2990	$475,648,520	$495,467,208

- The total millage rate to be levied exceeds the rolled-back rate by 2.77%
- The RLE rate is established by Florida's DOE and if not levied would jeopardize state funding via the Florida Education Finance Program (FEFP)
- Maintaining the other millage rates at the same level as in 2023-24 allows the District to continue implementation of the Board's Strategic Plan

* Some DOE/DOR forms use 96% collection rate (ESE 524, Notice of Tax for School Capital Outlay), while others use 100% collection rate (Notice of Proposed Tax Increase)

Tentative Millage – Average Impact on Real Property Taxpayer

School District of Manatee County

Effect of Tax Rate Change on Manatee County Property Owner with no Increase in Assessed Value

FY 2023-24 vs. FY 2024-25 (Tentative)

	(A)	(B)	(C)	(D)	(E)
	Description	**2023-24**	**2024-25**	**Change**	**Change**
1	Taxable value (i)	$293,455	$293,455	$0	0.00%
2	Exemptions	Included above			
3	Net taxable value	$293,455	$293,455	$0	0.00%
4	Millage rate	6.4210	6.2990	-0.1220	-1.90%
5	Annual taxes	$1,884.28	$1,848.48	-$35.80	-1.90%

(i) Source: Manatee County Property Appraiser (total taxable value/parcel counts)

Tentative Millage – Average Impact on Real Property Taxpayer

School District of Manatee County
Effect of Tax Rate Change on Manatee County Property Owner
FY 2023-24 vs. FY 2024-25 (Tentative)

	(A)	(B)	(C)	(D)	(E)
	Description	**2023-24**	**2024-25**	**Change**	**Change**
1	Taxable value (i)	$293,455	$318,282	$24,827	8.46%
2	Exemptions	Included above			
3	Net taxable value	$293,455	$318,282	$24,827	8.46%
4	Millage rate	6.4210	6.2990	-0.1220	-1.90%
5	Annual taxes	$1,884.28	$2,004.86	$120.58	6.40%

(i) Source: Manatee County Property Appraiser (total taxable value/parcel counts)

The total millage rate to be levied exceeds the rolled-back rate by 2.77%, per Certification of School Taxable Value form DR-420S.

FY 2024-25 Tentative Budget Hearing

Please return completed form to:
Florida Department of Education
Office of Funding & Financial Reporting
325 West Gaines Street, Room 814
Tallahassee, Florida 32399-0400

FLORIDA DEPARTMENT OF EDUCATION
RESOLUTION DETERMINING
REVENUES AND MILLAGES LEVIED

RESOLUTION OF THE DISTRICT SCHOOL BOARD OF MANATEE COUNTY, FLORIDA, DETERMINING THE AMOUNT OF REVENUES TO BE PRODUCED AND THE MILLAGE TO BE LEVIED FOR THE GENERAL FUND, FOR THE DISTRICT LOCAL CAPITAL IMPROVEMENT FUND AND FOR DISTRICT DEBT SERVICE FUNDS FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, AND ENDING JUNE 30, 2025.

WHEREAS, section 1011.04, Florida Statutes (F.S.), requires that, upon receipt of the certificate of the property appraiser giving the assessed valuation of the county and of each of the special tax school districts, the school board shall determine, by resolution, the amounts necessary to be raised for current operating purposes and for debt service funds and the millage to be levied for each such fund, including the voted millage; and

WHEREAS, s. 1011.71, F.S., provides for the amounts necessary to be raised for local capital improvement outlay and the millage to be levied; and

WHEREAS, the certificate of the property appraiser has been received;

THEREFORE, BE IT RESOLVED by the district school board that the amounts necessary to be raised, as shown by the officially adopted budget, and the millages necessary to be levied for each school fund of the district for the fiscal year are as follows:

FY 2024-25 Tentative Budget Hearing

1. DISTRICT SCHOOL TAX (nonvoted levy)

a) Certified taxable value	b) Description of levy	c) Amount to be raised	d) Millage levy
$ 78,658,074,018	Required Local Effort	$ 229,480,211	3.0390 mills s. 1011.62(4), F.S.
	Prior-Period Funding Adjustment Millage	$ 906,141	0.0120 mills s. 1011.62(4)(c), F.S.
	Total Required Millage	$ 230,386,352	3.0510 mills

2. DISTRICT SCHOOL TAX DISCRETIONARY MILLAGE (nonvoted levy)

a) Certified taxable value	b) Description of levy	c) Amount to be raised	d) Millage levy
$ 78,658,074,018	Discretionary Operating	$ 56,482,790	0.7480 mills s. 1011.71(1), F.S.

3. DISTRICT SCHOOL TAX ADDITIONAL MILLAGE (voted levy)

a) Certified taxable value	b) Description of levy	c) Amount to be raised	d) Millage levy
$ 78,658,074,018	Additional Operating	$ 75,511,751	1.0000 mills ss. 1011.71(9) and 1011.73(2), F.S.
	Additional Capital Improvement	$ 0	mills s. 1011.73(1), F.S.

FY 2024-25 Tentative Budget Hearing

4. DISTRICT LOCAL CAPITAL IMPROVEMENT TAX (nonvoted levy)

a) Certified taxable value	b) Description of levy	c) Amount to be raised	d) Millage levy
$ 78,658,074,018	Local Capital Improvement	$ 113,267,627	1.5000 mills (s. 1011.71(2), F.S.)
	Discretionary Capital Improvement	$ 0	mills (s. 1011.71(3), F.S.)

5. DISTRICT DEBT SERVICE TAX (voted levy)

a) Certified taxable value	b) Description of levy	c) Amount to be raised	d) Millage levy
$		$	mills (s. 1010.40, F.S.)
		$	mills (s. 1011.74, F.S.)
		$	mills

6. THE TOTAL MILLAGE RATE TO BE LEVIED ☒ EXCEEDS ☐ IS LESS THAN THE ROLLED-BACK RATE COMPUTED PURSUANT TO S. 200.065(1), F.S., BY 2.77 PERCENT.

Questions?











School District of Manatee County

Tentative Annual Budget

2024-2025

July 30, 2024

Jason C. Wysong, Ed.D.,

Superintendent



Chad Choate III, Chair

Cindy Spray, Vice Chair

Mary Foreman, Member

Gina Messenger, Member

Richard Tatem, Member

Jason C. Wysong, Ed.D., Superintendent

The School District of Manatee County

215 Manatee Avenue West

Bradenton, Florida 34205

941-708-8770

www.manateeschools.net

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SCHOOL DISTRICT OF MANATEE COUNTY

MEMORANDUM

DATE: July 30, 2024

TO: Members of the School Board

FROM: Jason C. Wysong, Ed.D., Superintendent of Schools JW

SUBJECT: 2024-2025 Tentative Budget

The following pages disclose the School District of Manatee County's Tentative Annual Budget for the 2024-2025 school year, which is allocated among the following funds:

Fund Name	Budgeted Revenue, Transfers In and Fund Balance	Budgeted Expenses and Transfers Out	Budgeted Fund Balance
General	$700,190,991	$656,972,041	$43,218,950
Capital	$690,253,992	$571,353,308	$118,900,684
Debt Service	$48,927,252	$35,339,811	$13,587,441
Special Revenue	$73,028,983	$62,409,075	$10,619,908
Internal Services	$76,306,226	$65,854,958	$10,451,268
Trust and Agency	$2,056,365	$2,056,365	$0
Total	$1,590,763,809	$1,393,985,558	$196,778,251

This budget is based on funding expected to be received from the State based on 56,470 unweighted FTE for K-12 students as identified in the Florida Department of Education 2024-2025 2nd calculation published on July 17, 2024.

On Tuesday, July 30, 2024, I will recommend approval of the tentative millages and tentative budget for Fiscal Year 2024-2025.

If you have any questions or need additional information, please contact Rachel Sellers, Deputy Superintendent of Business Services, at 941-708-8770, ext. 41108.

SCHOOL BOARD

Chad Choate III
Chair

Cindy Spray
Vice Chair

Mary Foreman
Gina Messenger
Richard Tatem

SUPERINTENDENT

Jason C. Wysong, Ed.D.

P.O. Box 9069
Bradenton, FL 34206-9069
215 Manatee Avenue West
Bradenton, FL 34205
941.708.8770
www.manateeschools.net

INTRODUCTION

EXECUTIVE SUMMARY

The School District of Manatee County continues to demonstrate strong financial stewardship. For the eighth consecutive year, the district anticipates ending FY 2023-2024 with a positive general fund balance of $101,916,654.

MAJOR INITIATIVES AND ACCOMPLISHMENTS

Fiscal year 2023-24 was an active and successful year for the School District of Manatee County. The District's accomplishments include:

WE ARE SUSTAINING SUCCESS UNDER NEW LEADERSHIP

- Dr. Jason Wysong completed his first school year as superintendent on May 24, 2024. A former deputy superintendent in Seminole County, he came to Manatee County in July 2023.
- Members of the District's Class of 2024 earned $21.2 million in scholarships and were accepted into colleges and universities across the country and all five branches of the military.
- Manatee was one of 3 U.S. districts named "District of the Year" by Cambridge International for increasing access to rigorous curriculum and strong performance on course exams.
- District students won twenty-nine "Best in State" awards at the Florida Technology Student Association (TSA) Conference – the most by any district - and Braden River High won the high school state championship.
- The American Boat & Yacht Council named Manatee Technical College instructor Freddie Fowler the 2023 Marine Service Technology Instructor of the Year.

WE ARE FINANCIALLY SOUND

- As a result of federal funding to mitigate educational impacts from the pandemic and a consistent commitment to fiscally responsible staffing models and position control, the general fund balance has grown to $101.9 million at the end of 2024.
- Global Financial Ratings firms – Moody's, Standard and Poor's, and Fitch Ratings – have all remained consistent based upon the financial performance of the district.

WE ARE PAYING COMPETITIVE SALARIES

- This past school year marked the eighth-consecutive year the District provided pay increases to teachers and other employees.
- Pay for a beginning teacher increased from $38,285 in 2015-2016 to $57,572 (including referendum supplement) in 2023-24.

WE ARE PREPARING FOR GROWTH

- Palmetto High School has a major project in progress that includes a new two-story classroom. building, new cafeteria, administration building renovation/addition, upgrades to the baseball facilities, new bus loop, and site improvements.

- The Buffalo Creek Middle School addition project was completed this past school year that included a new multi-story media center, eight classroom addition, renovations to the administration building, enhancements to the main entry, three additional classrooms and improved vehicular access off 69th Street East.
- Major renovations and additions are under construction at Haile Middle School, Tara Elementary, Blackburn Elementary, and Oneco Elementary Schools. Construction on the campuses commenced in the fall of 2023 and the projects are funded by the 2023 COPS.
- The Palma Sola Elementary School renovation and additions project is under design. The project will include the replacement of the majority of the existing campus buildings and renovation/remodeling of the newer structures on campus with campus-wide utility and infrastructure upgraded and is funded by the 2023 COPS.
- This past school year major addition projects were completed for two high schools: Southeast - science classroom addition and Lakewood Ranch - 20 classroom addition.
- The Parrish Community High School addition is under construction and will include an additional sixteen classrooms.
- The East County K-8 is under construction with the elementary portion of the campus scheduled for completion for the 2025-26 school year and the middle school the following school year.
- The Maintenance Division continues to focus on energy conservation by identifying and replacing inefficient lighting with LEDs at Stadiums, Gymnasiums, Parking Lots, Media Centers, Classrooms, and Auditoriums along with chillers and other HVAC infrastructure components.
- The District is participating in the Electric School Bus Grant offered through the Department of Environmental Protection. Four Electric School Buses were delivered this school year and construction was completed for the charging stations this spring.
- Construction has commenced for the new Middle School facility in the North River Ranch area with a planned completion for the 2025-26 school year.
- Planning is under way for two new Elementary Schools located in the Rye Ranch and Artisan Lakes areas with projected openings for the 2026-27 school year.
- For the 2023-2024 School Year Food and Nutrition Services (FNS) served over 8.4 million meals, averaging 16,000 breakfasts, 28,000 lunches and 3,000 after school meals daily.
- FNS in 2023-2024 completed a successful U.S.D.A. Summer Meals Administrative Review which included procurement, resource management, and menu compliance.

WE ARE A LEADER IN OFFERING STUDENT INNOVATIVE ACADEMIC OPTIONS

- Guy Harvey Academy of Arts and Science at Anna Maria Elementary School in 2022, and Dr. Guy Harvey's artwork has been installed at two additional schools in 2024; Manatee High School and King Middle School to celebrate the educational partnership.
- The Woz-Ed program founded by Apple co-found Steve Wozniak continues to offer educational opportunities to our Middle School teachers and students, providing a full day training session to our eighth-grade teachers across the district.
- Florida's first elementary agricultural program at Myakka City Elementary was established in 2023 and agricultural programs across multiple schools provide students with farm-to-table experiences.
- The District completed a pilot program of STEM curriculum with the ARK Education Initiative of four elementary schools.

WE ARE IMPLEMENTING OUR STRATEGIC PLAN AND TECHNOLOGY PLAN

- Successfully implementing the District's READY 2026 Strategic Plan.
- Board approved District Technology Plan December 8, 2020 – June 2025.
- Digitized over 6.8 million student, staff, and department records.
- Electronically transferred 6,610 student records between districts in the last two years.
- Dark fiber infrastructure upgrades completed at 54 sites connecting to (2) data centers.
- Network switch and wireless access point upgraded to seventeen elementary schools.
- 9,000+ student and staff computer devices deployed.
- Five elementary school media centers received innovative and modern renovation, furniture, and technology upgrades.

WE ARE INCREASING SECURITY

- Phases 1, 2 and 3 of the security fencing projects have been completed.
- Annual Florida Safe Schools Assessment Tool (FSSAT) performed by school officials to identify threats and vulnerabilities in all schools.
- School Safety Guardians completed training and are prepared to protect staff and students on our school campuses.
- Prepared all schools and district buildings for a crisis utilizing a Crisis Alert System in compliance with Alyssa's Law.
- Expanded Weapons Detection in schools by adding Evolv Weapons Detection Systems and a Firearms Detection Canine.

WE ARE SUPPORTED BY OUR COMMUNITY

- Manatee County voters renewed a 15-year, Half-Cent Sales Tax for District capital needs in November 2016.
- Manatee County voters overwhelmingly renewed a 1-mill property tax in November 2021 by a margin of 69% to 31% to support additional instructional time, competitive teacher pay, STEAM programs and charter schools.

WE ARE CELEBRATING STUDENT AND STAFF ACHIEVEMENTS

- The School Board honored sixteen employees with 40 or more years of service in our school district, including two employees with 50 years of service each.
- A total of seventy-seven district students auditioned and were accepted into the National Youth Choir. They traveled to New York with their Choral Directors and sang at Carnegie Hall.
- Prine Elementary third-grade teacher Katie Bagley was named the district's Educator of the Year at the Excellence in Education Awards in February at Manatee High.
- Sea Breeze Elementary Paraprofessional Denise Costello was named Support Employee of the Year at the Excellence in Education Awards in February at Manatee High.

WE ARE CHAMPIONS

- District high schools have won four-straight softball state championships: Lakewood Ranch High 2021 and 2022, and Parrish Community High 2023 and 2024.
- A ninth-grade student from Braden River High School, won the Girls Overall Singles State Championship in Class 3A.
- A senior at Palmetto High, won his third-straight Class 3A-State Weightlifting Championship at 169 pounds.

FISCAL YEAR 2024-2025 BUDGET OBJECTIVES

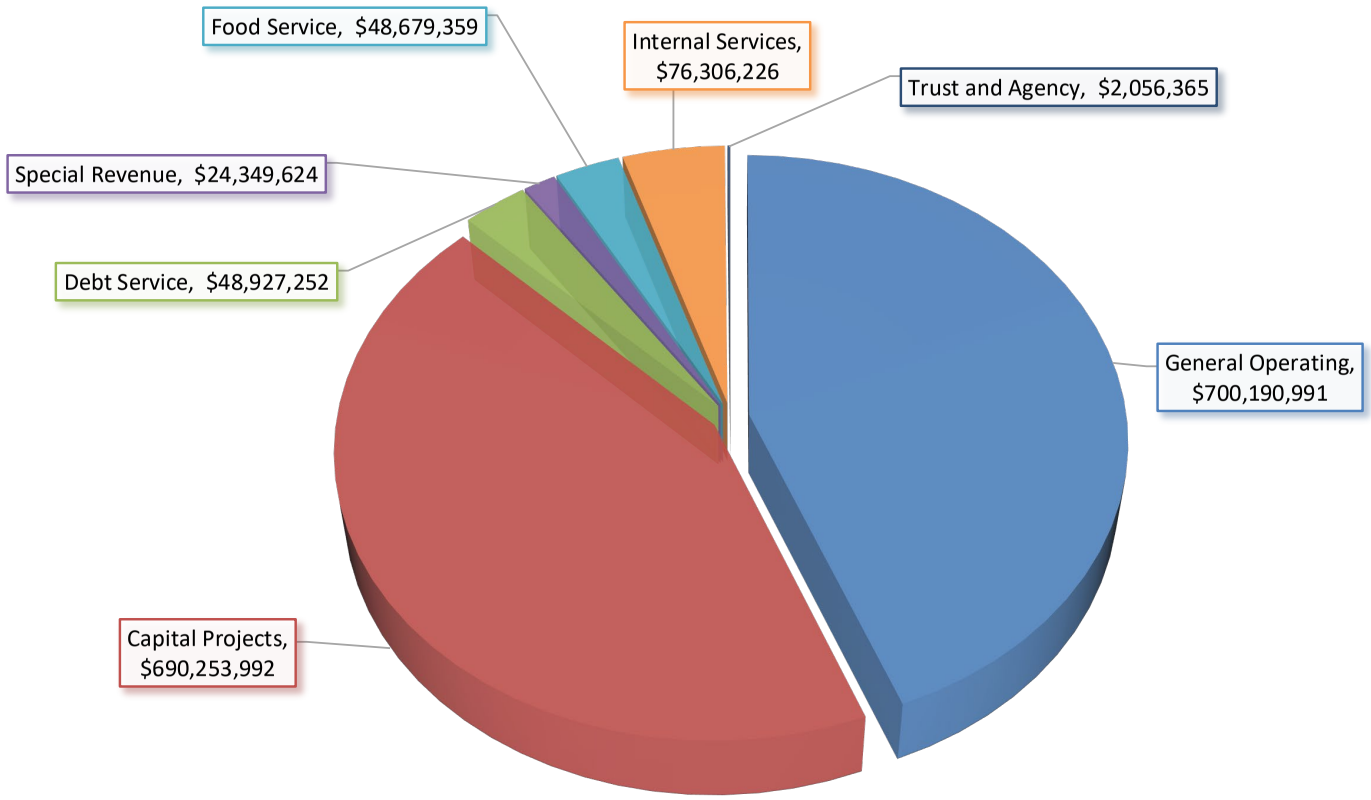
Full Time Equivalent (FTE) Student enrollment has increased 1,829 FTE from the FY 2023-2024 Fourth Calculation to the FY 2024-2025 Conference report. District leadership developed the FY 2024-2025 budget to prepare for potential higher enrollment, maintain financial stability, academic achievement, and staff satisfaction.

The FY 2024-2025 Total Budget is $1,590,763,809 and is comprised of General, Capital, Debt Service, Special Revenue, Internal Service, and Trust and Agency funds.

General fund 2024-2025 beginning fund balance, revenues, and transfers in from all sources are budgeted at $700,190,991 an increase of 4.3% versus 2023-2024 Current Budget as of May 31, 2024. The increased funding will allow the District to continue the path of financial resiliency, educate over 56,470 students, fill current vacancies, and further improve upon the educational experience for all students.

Capital 2024-2025 beginning fund balance, revenues, transfers in, and other funding sources are budgeted to be $690,253,992 up by 24.7% as of May 31, 2024 versus 2023-2024 Current Budget due primarily to an additional $140,000,000 in revenue expected from a new issuance of Certificates of Participation, Series 2025A. The Certificates of Participation will fund the building of two new elementary schools.

SCHOOL BOARD OF MANATEE COUNTY 2024-2025 BUDGET BY FUND



TOTAL TENTATIVE BUDGET BY FUND - $1,590,763,809

Budget Summary - 2024-2025 Original Budget
Fund Balance Calculation Schedule

Beginning Fund Balance

General Fund	+	Special Revenue Fund	+	Internal Service Fund	+	Trust and Agency Fund	+	Debt Service Fund	+	Capital Projects Fund	=	Total Beginning Fund Balance
$101,916,654		$12,221,019		$12,301,301		$1,247,081		$13,312,441		$327,960,297		$468,958,793

Total Revenues

General Fund	+	Special Revenue Fund	+	Internal Service Fund	+	Trust and Agency Fund	+	Debt Service Fund	+	Capital Projects Fund	=	Total Revenues
$574,772,798		$60,807,964		$64,004,925		$809,285		$1,620,760		$222,293,695		$924,309,426

Transfers In

General Fund	+	Special Revenue Fund	+	Internal Service Fund	+	Trust and Agency Fund	+	Debt Service Fund	+	Capital Projects Fund	=	Total Transfers In/Non Revenue Sources
$23,501,540		$0		$0		$0		$33,994,051		$140,000,000		$197,495,590

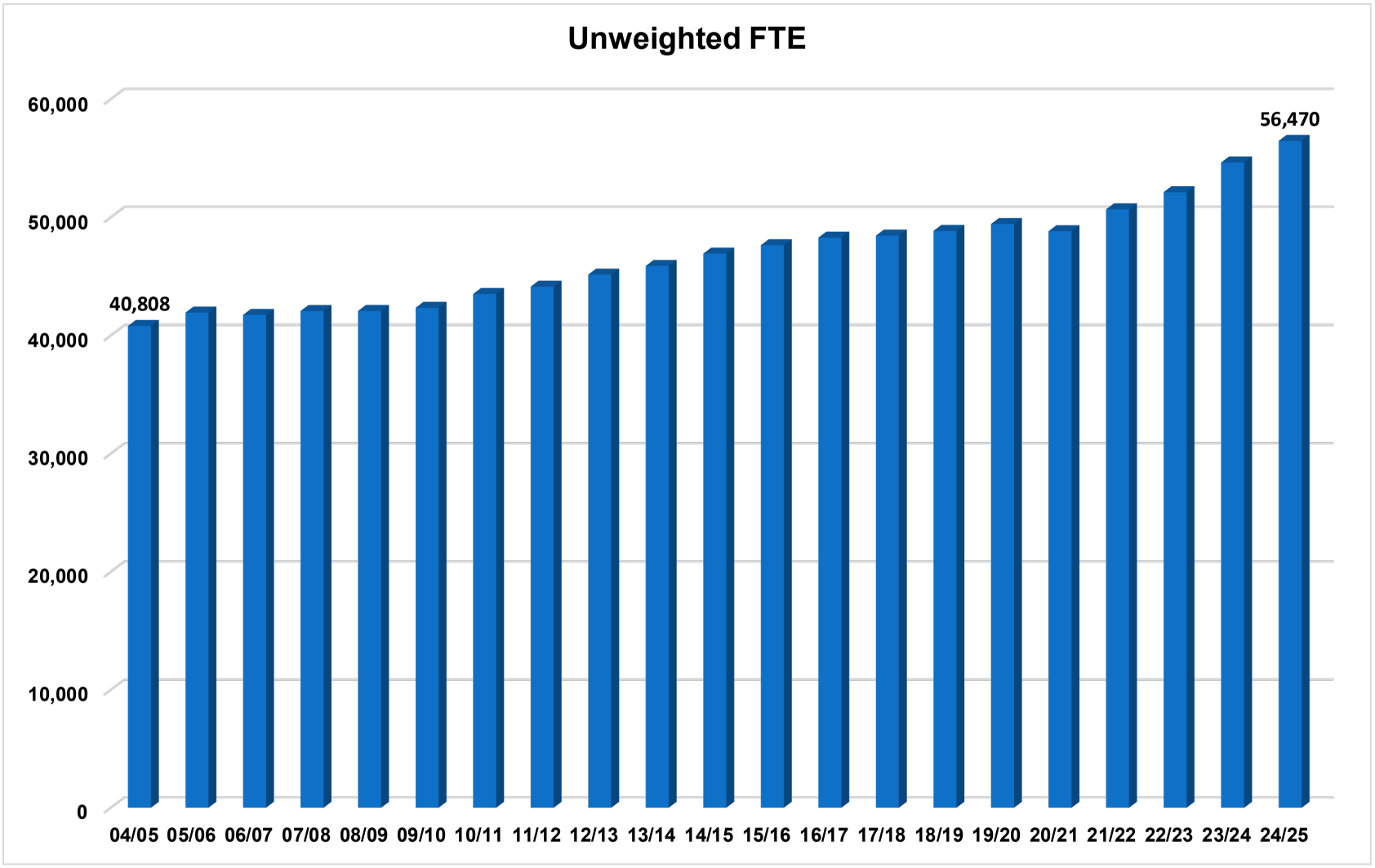
Total Revenues, Transfers In & Balances

General Fund	+	Special Revenue Fund	+	Internal Service Fund	+	Trust and Agency Fund	+	Debt Service Fund	+	Capital Projects Fund	=	Total Budget
$700,190,991		**$73,028,983**		**$76,306,226**		**$2,056,365**		**$48,927,252**		**$690,253,992**		**$1,590,763,809**

STUDENT GROWTH

Fiscal Year	Unweighted FTE	Percentage Change	Actual Growth	Growth Rate
24/25 2nd Calc	56,470	3.24%	1,829	3.35%
23/24 4th Calc	54,641	4.60%	2,511	4.82%
22/23 Final Calc	52,130	2.78%	1,450	2.86%
21/22 Final Calc	50,680	3.66%	1,854	3.80%
20/21 Final Calc	48,826	-1.25%	-611	-1.24%
19/20 Final Calc	49,436	1.18%	584	1.20%
18/19 Final Calc	48,853	0.82%	398	0.82%
17/18 Final Calc	48,454	0.35%	171	0.35%
16/17 Final Calc	48,284	1.32%	640	1.34%
15/16 Final Calc	47,644	1.50%	713	1.52%
14/15 Final Calc	46,931	2.22%	1,040	2.27%
13/14 Final Calc	45,890	1.61%	740	1.64%
12/13 Final Calc	45,150	2.25%	1,014	2.30%
11/12 Final Calc	44,136	1.40%	620	1.42%
10/11 Final Calc	43,516	2.68%	1,167	2.76%
09/10 Final Calc	42,349	0.62%	265	0.63%
08/09 Final Calc	42,084	0.03%	12	0.03%
07/08 Final Calc	42,072	0.78%	328	0.79%
06/07 Final Calc	41,744	-0.47%	-194	-0.46%
05/06 Final Calc	41,939	2.70%	1,130	2.77%
04/05 Final Calc	40,808	3.07%	1,255	3.17%

Note: 2nd Calc, 4th Calc and Final Calc refers to the Florida Education Finance Program (FEFP) calculation period provided to the School District from the Department of Education.


Unweighted FTE
60,000
50,000
40,000
30,000
20,000
10,000
0
40,808
56,470
04/05 05/06 06/07 07/08 08/09 09/10 10/11 11/12 12/13 13/14 14/15 15/16 16/17 17/18 18/19 19/20 20/21 21/22 22/23 23/24 24/25

MILLAGE

MILLAGE OVERVIEW

Annually, property owners in Manatee County pay property taxes. Part of their property taxes is levied by the School Board to support the Manatee County School District.

This year the proposed tentative levy is 6.299 and is composed of the following:

Required Local Effort	3.039
Prior Period Millage Adjustment	0.012
Additional Voted Millage	1.000
	4.051
Local Capital Improvement (Capital Outlay)	1.500
Discretionary Operating	0.748
Total Millage	**6.299**

The Required Local Effort Millage is an appropriated amount set by the Florida Department of Education. The School Board must levy this amount in order to receive state funding. The Required Local Effort Millage (Prior Year Adjustment) is an appropriated amount set by the Florida Department of Education. This millage is levied if the prior period Unrealized Required Local Effort funds are greater than zero. The District is required to levy this amount.

Additional Voted Approved Millage will continue to be levied for three years starting in FY 2022-23. The Additional Voted Millage of 1 mill is for increased instruction time by 30 minutes each day, increased pay for teachers, bus drivers and other staff who work directly with students and expanded career, technical, science/engineering, and arts programs.

Discretionary Operating Millage is used by the School Board to support the general operation of the District. Though this millage is optional, it is an integral part of the Operating Budget. Throughout the last several years, this millage has varied. From FY 1991-92 until FY 2008-09 the millage was set at 0.510 mills. For FY 2008-09, the Legislature capped the millage at 0.498 mill. In FY 2009-10, the legislature further reduced the Capital Outlay Millage by 0.25 and added it to

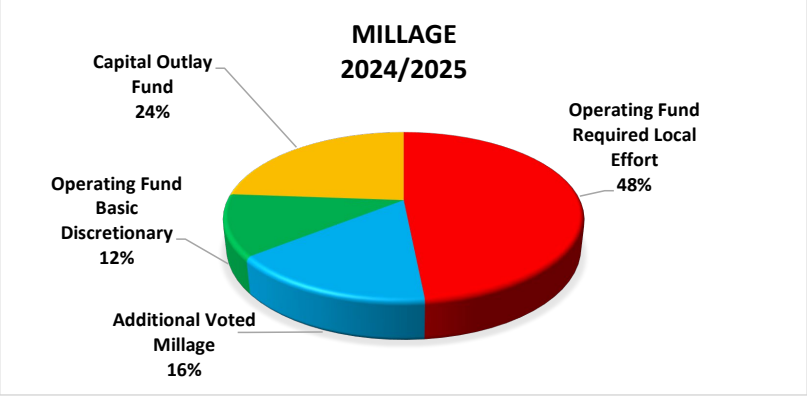
the Discretionary Millage, totaling 0.748 mill. The Discretionary Millage remains at 0.748 mill.

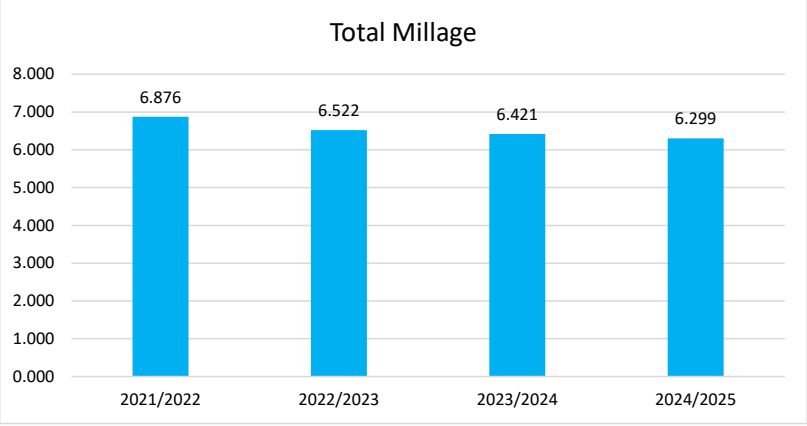
The Capital Improvement Millage is an amount levied to support the construction, maintenance and equipping of schools. The Millage uses and implementation are set by the School Board. Beginning FY 1994-95, this millage was capped at 2.00 mill. For 2008-09, the Legislature capped this millage at 1.750. The difference was used to help offset the increase in the Required Local Effort (RLE) to fund the FEFP formula. For FY 2009-10 the millage was further reduced by 0.25 mills and moved to the Discretionary Millage. The Capital Improvement Millage is now set at 1.500 mill.

School Board of Manatee County
Millage Levy

	2021-2022	2022-2023	2023-2024	2024-2025	2023-2024 vs 2024-2025 Increase / (Decrease)
Operating Fund					
Local Required Effort	3.628	3.274	3.173	3.051	(0.122)
Additional Voted Millage	1.000	1.000	1.000	1.000	0.000
Basic Discretionary	0.748	0.748	0.748	0.748	0.000
Critical Needs Operating	0.000	0.000	0.000	0.000	0.000
Debt Service Fund	0.000	0.000	0.000	0.000	0.000
Capital Outlay Fund	1.500	1.500	1.500	1.500	0.000
Total Millage	6.876	6.522	6.421	6.299	(0.122)

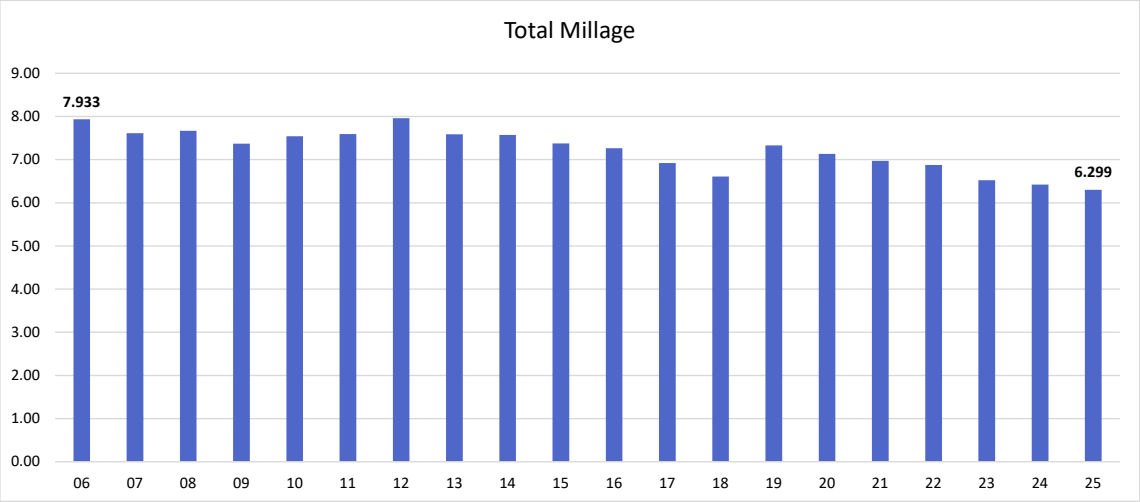
The proposed millage rate for 2024/2025 is 1.9% lower than the millage rate levied last year.
The decrease is attributable to Required Local Effort (RLE) which is mandated by statute.
The School Board must levy the RLE to receive state funding.

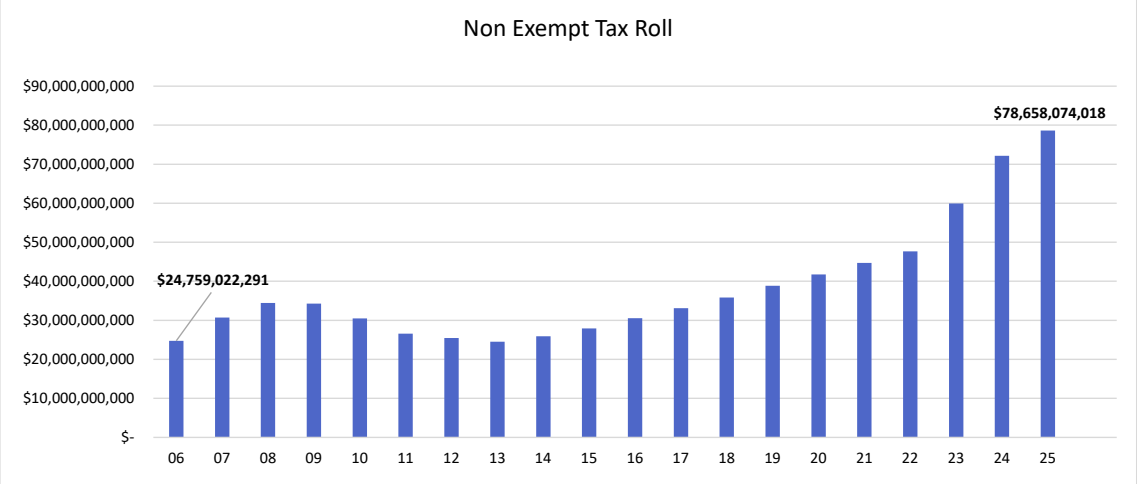




SCHOOL DISTRICT MILLAGE HISTORY
MANATEE COUNTY, FLORIDA
MILLAGE RATES

Fiscal Year	Required Local Effort	Discretionary	Voted	Debt Service	Capital Projects	Total	Non Exempt Tax Roll
2006	5.244	0.689	0	0	2	7.933	$ 24,759,022,291
2007	4.955	0.659	0	0	2	7.614	$ 30,735,678,005
2008	5.028	0.638	0	0	2	7.666	$ 34,453,085,874
2009	4.991	0.631	0	0	1.75	7.372	$ 34,271,840,794
2010	5.293	0.748	0	0	1.5	7.541	$ 30,470,070,375
2011	5.343	0.998	0	0	1.25	7.591	$ 26,599,241,677
2012	5.712	0.748	0	0	1.5	7.96	$ 25,476,256,567
2013	5.341	0.748	0	0	1.5	7.589	$ 24,498,183,527
2014	5.324	0.748	0	0	1.5	7.572	$ 25,892,289,751
2015	5.128	0.748	0	0	1.5	7.376	$ 27,937,345,188
2016	5.019	0.748	0	0	1.5	7.267	$ 30,521,065,411
2017	4.672	0.748	0	0	1.5	6.92	$ 33,138,246,683
2018	4.36	0.748	0	0	1.5	6.608	$ 35,849,173,561
2019	4.083	0.748	1	0	1.5	7.331	$ 38,843,116,995
2020	3.887	0.748	1	0	1.5	7.135	$ 41,780,543,525
2021	3.724	0.748	1	0	1.5	6.972	$ 44,398,287,814
2022	3.628	0.748	1	0	1.5	6.876	$ 47,666,050,988
2023	3.274	0.748	1	0	1.5	6.522	$ 59,935,768,812
2024	3.173	0.748	1	0	1.5	6.421	$ 72,173,995,678
2025	3.051	0.748	1	0	1.5	6.299	$ 78,658,074,018





GENERAL FUND

GENERAL OPERATING FUND

BUDGET OVERVIEW FY 2024-25

The Manatee County School District's General Fund or Operating Fund is the largest fund in the District's budget.

The General Operating Fund is used to pay the salaries and benefits of employees such as classroom teachers, school principals, school secretaries, and school custodians. The funds also are used to buy supplies such as classroom books, library books, classroom supplies, cleaning supplies, and transportation costs. In addition, these monies provide the expenses, such as the schools' utility and communications bills.

The General Fund is supported mainly through the Florida Education Finance Program (FEFP). The funding source for the FEFP comes from two primary sources, state sales tax and local millage. The local millage are the property taxes collected in Manatee County.
The following pages disclose information on this year's general fund budget.

CALCULATION OF THE 2024-2025
FLORIDA EDUCATION FINANCE PROGRAM

In 1973, the Florida Legislature enacted the Florida Education Finance Program (FEFP), which offers as its purpose:

To guarantee to each student in the Florida public educational system the availability of programs and services appropriate to his (or her) educational needs which are substantially equal to those available to any similar student notwithstanding geographical differences and varying local economic factors.

The FEFP provides a formula that substantially determines the amount of money that will be available to the School District of Manatee County within its General Fund for the 2024-2025 fiscal year. The formula considers the varying local non-exempt assessed valuations for property taxing purposes, the costs of varying educational programs, the varying costs of providing education services within the vast geographic area of the state and the costs of education within a given school district. The actual formula and the FEFP calculations can be found at http://www.fldoe.org/finance/fl-edu-finance-program-fefp/fl-edu-finance-program-fefp-calculatio.stml

FLORIDA EDUCATION FINANCE PROGRAM

DEFINITIONS/TERMS

FLORIDA EDUCATION FINANCE PROGRAM (FEFP): The funding formula established by the Legislature in 1973 for funding public schools.

FULL TIME EQUIVALENT STUDENT (FTE): A definition utilized in the state funding formula for identifying the student count for each district for the program offered. Often referred to as unweighted FTE, it is student membership with the programs offered.

PROGRAM COST FACTORS: Program cost factors serve to assure that each program receives its equitable share of funds in relation to its relative cost per student. The cost factors help recognize the varying costs among programs based on a three-year average.

WEIGHTED FTE: This is derived by multiplying the unweighted FTE by the program cost factors.

BASE STUDENT ALLOCATION (BSA): This is set annually by the Legislature. This is the amount a full-time equivalent student (FTE) will generate in a program with a cost factor of 1. For 2024-2025, the BSA is $5,330.98.

COMPARABLE WAGE FACTOR (CWF): This is used to adjust funding to reflect the differing costs of living in the various districts within the state. The CWF is based on the average of each district's three most recent years of the Florida Price Level Index. For Manatee County, this figure for 2024-2025, is 0.9973. The 2024 legislative session allows for school districts below a cost factor of 1 to use a cost factor of 1 when calculating the FEFP base funding.

BASE FUNDING: This is derived by the following formula: (Unweighted FTE x program cost factors x BSA x CWF)

SUPPLEMENTAL FUNDING: Additional funding with the formula allocated for a specific purpose, such as Safe-Schools or Mental Health Allocation.

FEFP Calculation Schedule

2024-2025 FL DOE FEFP Second Calculation

	FTE Students		Program Weights		Weighted FTE Students		Base Student Allocation (BSA)		Comparable Wage Factor (CWF)	
2025 2nd Calc	56,470	x		=	61,284	x	$5,330.98	x	1.0000	=
2024 4th Calc	**54,641**				**59,526**		**$5,139.73**		**1.0000**	

	Base Funding		.748 Mill Discretionary Compression		ESE Guaranteed Allocation		Department of Juvenile Justice (DJJ)		Mental Health Assistance	
2025 2nd Calc	$326,701,379	+	0	+	$22,590,786	+	$171,644	+	$3,225,525	+
2024 4th Calc	**$305,947,722**		**0**		**$21,787,105**		**$174,816**		**$2,857,352**	

	Safe Schools		Education Enrichment		Student Transportation		Proration to Appropriation		Gross State and Local Funding	
2025 2nd Calc	$5,195,218	+	$13,928,999	+	$9,174,171	+	-$402,139	=	$380,585,583	-
2024 4th Calc	**$4,464,249**		**$13,477,364**		**$8,717,473**		**$0**		**$357,426,081**	

	Required Local Effort 2024-25 - 3.039 2023-24 - 3.172		Prior Year Adjustments		Net State FEFP		Class Size Reduction		State Funded Discretionary Supplement	
2025 2nd Calc	$229,480,211	+	$0	=	$151,105,372	+	$50,400,319	+	$9,828,827	=
2024 4th Calc	**$219,778,478**		**$1,246,820**		**$138,894,423**		**$49,876,529**		**$6,489,254**	

	Total State Funding		Required Local Effort (RLE)		.748 Discretionary Local Effort		Total FEFP Funding Including PY Adj		FES 2024-25 UFTE 4,750.75 2023-24 UFTE 3,274.77		District FEFP Funding including PY adjustment
2025 2nd Calc	$211,334,518	+	$229,480,211	+	$56,482,790	=	$497,297,519	-	$42,502,829	=	$454,794,690
2024 4th Calc	**$195,260,206**		**$219,778,478**		**$51,826,703**		**$466,865,387**		**$30,424,142**		**$436,441,245**

GENERAL FUND

	2022 - 2023 ACTUAL	2023 - 2024 BUDGET as of 5/31/24	2024 - 2025 TENTATIVE BUDGET	2023 - 2024 TO CHANGE	2024 - 2025 PERCENT
REVENUES					
FEDERAL REVENUE					
Reserve Officer Training (JROTC)	$ 732,434	$ 673,800	$ 730,000	$ 56,200	8.34%
Misc. Federal Direct	$ -	$ 26,764	$ 3,584	$ (23,180)	-86.61%
Medicaid	$ 1,370,349	$ 1,033,855	$ 905,000	$ (128,855)	-12.46%
Federal thru Local	$ 333,999	$ 308,756	$ -	$ (308,756)	-100.00%
Other Federal Through State	$ 1,790,970	$ 1,129,955	$ -	$ (1,129,955)	-100.00%
TOTAL FEDERAL REVENUE	**$ 4,227,752**	**$ 3,173,130**	**$ 1,638,584**	**$ (1,534,546)**	**-48.36%**
STATE SOURCES					
FEFP REVENUE					
FEFP State Payment	$ 117,738,050	$ 114,612,342	$ 118,431,370	$ 3,819,028	3.33%
Lottery Allocations, School Recognition	$ 2,619,231	$ 3,745,293	$ -	$ (3,745,293)	-100.00%
TOTAL FEFP REVENUE	**$ 120,357,281**	**$ 118,357,635**	**$ 118,431,370**	**$ 73,735**	**0.06%**
Work Force Development	$ 9,687,398	$ 10,144,293	$ 10,347,179	$ 202,886	2.00%
CO & DS Withheld - Admin Exp	$ 30,104	$ 28,000	$ 31,200	$ 3,200	11.43%
Workforce Education Performance	$ 203,587	$ 700,228	$ 600,000	$ (100,228)	-14.31%
State License Tax	$ 359,595	$ 340,481	$ 360,000	$ 19,519	5.73%
Voluntary Pre-K Program	$ 2,680,941	$ 2,107,575	$ 2,256,570	$ 148,995	7.07%
Class Size Constitutional Amendment	$ 51,028,719	$ 49,876,529	$ 50,400,319	$ 523,790	1.05%
Misc & Other State Revenue	$ 632,809	$ 2,815,317	$ -	$ (2,815,317)	-100.00%
TOTAL STATE REVENUE	**$ 64,623,152**	**$ 66,012,423**	**$ 63,995,268**	**$ (2,017,155)**	**-3.06%**
TOTAL FEFP AND STATE REVENUE	**$ 184,980,433**	**$ 184,370,058**	**$ 182,426,638**	**$ (1,943,420)**	**-1.05%**
LOCAL SOURCES					
District School Tax	$ 290,734,599	$ 271,674,468	$ 286,869,142	$ 15,194,674	5.59%
District Additional School Tax	$ -	$ 69,287,036	$ 75,511,751	$ 6,224,715	8.98%
Lease Revenue	$ 246,855	$ 295,287	$ 170,000	$ (125,287)	-42.43%
Interest on Investments	$ 9,990,127	$ 15,879,925	$ 11,000,000	$ (4,879,925)	-30.73%
Gifts, Grants & Bequests	$ 1,500	$ 3,652	$ -	$ (3,652)	-100.00%
Post Secondary Course Fees	$ 2,915,293	$ 3,266,670	$ 4,200,000	$ 933,330	28.57%
Continuing Workforce Ed Fees	$ 127,334	$ 85,857	$ 114,000	$ 28,143	32.78%
Capital Improvement Fees	$ 135,867	$ 175,132	$ -	$ (175,132)	-100.00%
Other Schools, Class Fees	$ 27,379	$ 32,990	$ 30,000	$ (2,990)	-9.06%
Other Student Fees, Financial Aid	$ 648,433	$ 682,987	$ 170,000	$ (512,987)	-75.11%
School Age Child Care	$ 7,292,842	$ 7,442,570	$ 7,440,500	$ (2,070)	-0.03%
Charges for Services	$ 2,438	$ -	$ -	$ -	n/a
Bus Fees	$ -	$ 94,504	$ 65,000	$ (29,504)	-31.22%
Activity Bus Fees	$ -	$ 30,165	$ 35,000	$ 4,835	16.03%
Sale of Assets	$ 14,257,763	$ 171,404	$ 200,000	$ 28,596	16.68%
Federal Indirect Cost	$ 3,431,818	$ 2,500,000	$ 1,400,000	$ (1,100,000)	-44.00%
Other Local Sources	$ 3,060,282	$ 3,195,544	$ 1,832,182	$ (1,363,361)	-42.66%
Refunds of prior Year Expenses	$ (217,239)	$ 194	$ -	$ (194)	-100.00%
Lost, Damaged, Sold Textbooks	$ 20,915	$ 11,941	$ -	$ (11,941)	-100.00%
Food Service and Other Indirect Costs	$ 1,877,789	$ 1,739,636	$ 1,670,000	$ (69,636)	-4.00%
TOTAL LOCAL REVENUE	**$ 334,553,995**	**$ 376,569,961**	**$ 390,707,576**	**$ 14,137,615**	**3.75%**
TOTAL REVENUES	**$ 523,762,180**	**$ 564,113,149**	**$ 574,772,798**	**$ 10,659,649**	**1.89%**

GENERAL FUND

	2022 - 2023 ACTUAL	2023 - 2024 BUDGET as of 5/31/24	2024 - 2025 TENTATIVE BUDGET	2023 - 2024 TO CHANGE	2024 - 2025 PERCENT
EXPENDITURES, APPROPRIATIONS					
Instructional Services	$ 325,907,810	$ 394,591,172	$ 439,112,878	$ 44,521,706	11.28%
Pupil Personnel Services	$ 15,367,967	$ 24,438,454	$ 29,700,928	$ 5,262,474	21.53%
Instructional Media Services	$ 5,089,535	$ 5,946,461	$ 5,733,580	$ (212,881)	-3.58%
Instr., Curr. Development Services	$ 7,352,744	$ 9,310,499	$ 8,759,823	$ (550,677)	-5.91%
Instructional Staff Training Services	$ 635,835	$ 1,780,484	$ 1,972,510	$ 192,026	10.79%
Instructional Technology	$ (13)	$ 585	$ -	$ (585)	-100.00%
Board of Education	$ 1,186,783	$ 1,427,163	$ 1,575,345	$ 148,182	10.38%
General Administration	$ 2,431,291	$ 3,731,295	$ 4,389,542	$ 658,247	17.64%
School Administration	$ 32,169,007	$ 36,094,307	$ 37,218,513	$ 1,124,206	3.11%
Facilities Acquisition & Construction	$ 6,224,044	$ 7,879,173	$ 7,770,206	$ (108,967)	-1.38%
Fiscal Services	$ 3,196,578	$ 4,000,065	$ 3,766,704	$ (233,360)	-5.83%
Central Services	$ 10,938,993	$ 15,970,510	$ 16,382,668	$ 412,158	2.58%
Pupil Transportation Services	$ 15,950,247	$ 19,179,559	$ 21,029,461	$ 1,849,902	9.65%
Operation of Plant	$ 42,094,511	$ 51,436,425	$ 50,831,947	$ (604,479)	-1.18%
Maintenance of Plant	$ 9,547,562	$ 11,854,757	$ 12,180,711	$ 325,954	2.75%
Administrative Technology Services	$ 7,361,894	$ 8,750,511	$ 8,948,246	$ 197,735	2.26%
Community Services	$ 6,867,699	$ 7,002,703	$ 6,943,603	$ (59,100)	-0.84%
Debt Service	$ 1,325,590	$ 1,778,918	$ 655,377	$ (1,123,541)	-63.16%
TOTAL EXPENDITURES, APPROPRIATIONS	**$ 493,648,077**	**$ 605,173,042**	**$ 656,972,041**	**$ 51,799,000**	**8.56%**
TRANSFERS OUT					
Transfers Out	$ 15,882,389	$ -	$ -	$ -	n/a
TOTAL TRANSFERS OUT	**$ 15,882,389**	**$ -**	**$ -**	**$ -**	**n/a**
TRANSFERS IN					
From Capital Fund	$ 18,198,276	$ 19,740,957	$ 23,501,540	$ 3,760,583	19.05%
From Special Revenue Fund	$ 3,143,648	$ 1,314,596	$ -	$ (1,314,596)	-100.00%
TOTAL TRANSFERS IN	**$ 21,341,924**	**$ 21,055,553**	**$ 23,501,540**	**$ 2,445,986**	**11.62%**
BEGINNING FUND BALANCE					
GASB 84 Adjustment				$ -	n/a
Nonspendable Fund Balance	$ 691,636	$ 643,367	$ 517,798	$ (125,568)	-19.52%
Restricted Fund Balance	$ 6,950,507	$ 14,186,759	$ 17,513,460	$ 3,326,701	23.45%
Assigned Fund Balance	$ 6,482,925	$ 9,530,299	$ 10,698,932	$ 1,168,633	12.26%
Unassigned Fund Balance	$ 36,263,268	$ 61,601,549	$ 73,186,463	$ 11,584,915	18.81%
TOTAL BEGINNING FUND BALANCE	**$ 50,388,336**	**$ 85,961,973**	**$ 101,916,654**	**$ 15,954,680**	**18.56%**
ENDING FUND BALANCE					
Nonspendable Fund Balance	$ 643,367	$ 643,367	$ 517,798	$ (125,569)	-24.25%
Restricted Fund Balance	$ 14,186,759	$ 12,036,000	$ -	$ (12,036,000)	-100.00%
Assigned Fund Balance	$ 9,530,299	$ 9,600,000	$ -	$ (9,600,000)	-100.00%
Unassigned Fund Balance	$ 61,601,549	$ 43,678,267	$ 42,701,152	$ (977,115)	-2.24%
TOTAL ENDING FUND BALANCE	**$ 85,961,973**	**$ 65,957,634**	**$ 43,218,950**	**$ (22,738,684)**	**-34.47%**

CAPITAL FUND

CAPITAL FUND

BUDGET OVERVIEW FY 2024-25

The District Capital Fund major revenue sources include sales tax, impact fees, and local property tax millage of 1.5 mill.

The funds are primarily used to construct, repair, equip and maintain the District's schools and offices. On the following pages is an overview of both revenue and expense of this fund.

CAPITAL PROJECTS FUND

	2022 - 2023 ACTUAL	2023 - 2024 BUDGET as of 5/31/24	2024 - 2025 TENTATIVE BUDGET	2023 - 2024 TO CHANGE	2024 - 2025 PERCENT
ESTIMATED REVENUE					
STATE SOURCES					
CO & DS Distributed	$ 1,567,895	$ 1,567,895	$ 1,567,895	$ -	0.00%
Interest-Undistrib CO & DS	$ 34,386	$ 28,991	$ 28,991	$ 0	0.00%
Public Education Capital Outlay-PECO Construction	$ 109,511	$ 1,770,785	$ 4,661,646	$ 2,890,861	163.25%
Charter School Capital Outlay-PECO	$ 4,485,828	$ 5,231,001	$ 5,330,180	$ 99,179	1.90%
Other Miscellaneous State Revenue	$ 573,744	$ 5,170,571	$ 4,568,078	$ (602,493)	-11.65%
TOTAL STATE REVENUE	**$ 6,771,364**	**$ 13,769,243**	**$ 16,156,790**	**$ 2,387,548**	**17.34%**
LOCAL SOURCES					
District Local Capital Improvement	$ 86,830,455	$ 103,930,554	$ 113,267,626	$ 9,337,072	8.98%
Local Sales Tax	$ 49,701,086	$ 51,689,130	$ 53,756,695	$ 2,067,565	4.00%
Interest	$ 2,536,951	$ 11,252,733	$ 6,382,709	$ (4,870,024)	-43.28%
Other Misc. Local Sources	$ 97,458	$ 817,769	$ 79,875	$ (737,894)	-90.23%
Impact Fees	$ 37,442,455	$ 38,650,906	$ 32,650,000	$ (6,000,906)	-15.53%
TOTAL LOCAL REVENUE	**$ 176,608,405**	**$ 206,341,092**	**$ 206,136,905**	**$ (204,187)**	**-0.10%**
TOTAL ESTIMATED REVENUE	**$ 183,379,769**	**$ 220,110,335**	**$ 222,293,695**	**$ 2,183,360**	**0.99%**
NON-REVENUE SOURCES					
Leased Assets	$ 265,327	$ 3,750,327	$ -	$ (3,750,327)	-100.00%
Certificates of Participation	$ 151,730,000	$ -	$ 140,000,000	$ 140,000,000	n/a
Premium on Certificates of Participation	$ 24,482,011	$ -	$ -	$ -	n/a
TOTAL NON-REVENUE SOURCES	**$ 176,477,339**	**$ 3,750,327**	**$ 140,000,000**	**$ 136,249,673**	**3633.01%**
EXPENDITURES, APPROPRIATIONS					
New Construction	$ 49,937,485	$ 298,364,760	$ 385,937,405	$ 87,572,645	29.35%
Furniture, Fixtures & Equipment	$ 11,922,279	$ 22,518,602	$ 16,434,487	$ (6,084,115)	-27.02%
School Buses	$ 892,792	$ 1,755,093	$ 2,691,705	$ 936,612	53.37%
Motor Vehicles	$ 609,208	$ 1,437,767	$ 232,889	$ (1,204,878)	-83.80%
Land	$ 20,000	$ 249,640	$ 5,000,000	$ 4,750,360	1902.88%
Improvements Other than Bldgs	$ 3,656,062	$ 10,426,279	$ 6,632,289	$ (3,793,990)	-36.39%
Remodeling & Renovation/Other	$ 35,092,327	$ 62,984,848	$ 87,132,996	$ 24,148,148	38.34%
Computer Software	$ 3,456,889	$ 3,776,583	$ 4,191,116	$ 414,533	10.98%
Charter School Capital Outlay	$ 2,866,726	$ 3,379,012	$ 3,864,604	$ 485,592	14.37%
Debt Service:					
Principal & Interest on Leases	$ 1,684,494	$ 2,719,184	$ 1,740,227	$ (978,957)	-36%
TOTAL EXPENDITURES, APPROPRIATIONS	**$ 110,138,262**	**$ 407,611,768**	**$ 513,857,718**	**$ 106,245,950**	**26.07%**
TRANSFERS					
To Debt Service	$ 27,018,150	$ 34,100,932	$ 33,994,051	$ (106,882)	-0.31%
To General Fund	$ 18,198,276	$ 19,853,033	$ 23,501,540	$ 3,648,507	18.38%
From General Fund	$ (882,389)	$ -	$ -	$ -	n/a
TOTAL TRANSFERS	**$ 44,334,037**	**$ 53,953,965**	**$ 57,495,591**	**$ 3,541,625**	**6.56%**
BEGINNING FUND BALANCE	**$ 125,245,984**	**$ 330,630,793**	**$ 327,960,297**	**$ (2,670,496)**	**-0.81%**
ENDING FUND BALANCE	**$ 330,630,793**	**$ 92,925,721**	**$ 118,900,684**	**$ 25,974,962**	**27.95%**

DEBT SERVICE FUND

DEBT SERVICE

BUDGET OVERVIEW FY 2024-25

Debt Service Funds are used to repay long-term debt of the school district. Currently, this debt includes Certificates of Participation, a Qualified School Construction Bond, and a Sales Tax Revenue Bond retired through a transfer of funds from the 1.5 mill Capital Outlay Levy and Sales Surtax.

DEBT SERVICE FUND

	2022 - 2023 ACTUAL	2023 - 2024 BUDGET as of 5/31/24	2024 - 2025 TENTATIVE BUDGET	2023 - 2024 TO CHANGE	2024 - 2025 PERCENT
ESTIMATED REVENUE					
FEDERAL SOURCES					
Misc Federal Direct	$ 953,374	$ 1,005,960	$ 1,005,960	$ -	0.00%
TOTAL FEDERAL SOURCES	**$ 953,374**	**$ 1,005,960**	**$ 1,005,960**	**$ -**	**0.00%**
STATE SOURCES					
CO&DS Withheld for SBOE Bonds	$ 408,910	$ 332,550	$ 339,800	$ 7,250	2.18%
SBE Bond Interest	$ 1,271	$ -	$ -	$ -	-
TOTAL STATE SOURCES	**$ 410,181**	**$ 332,550**	**$ 339,800**	**$ 7,250**	**2.18%**
LOCAL SOURCES					
Interest on Investments	$ 380,375	$ 500,578	$ 275,000	$ (225,578)	-45.06%
TOTAL LOCAL RESOURCES	**$ 380,375**	**$ 500,578**	**$ 275,000**	**$ (225,578)**	**-45.06%**
TOTAL ESTIMATED REVENUE	**$ 1,743,930**	**$ 1,839,088**	**$ 1,620,760**	**$ (218,328)**	**-11.87%**
INCOMING TRANSFERS					
From Capital Projects	$ 27,018,150	$ 34,100,932	$ 33,994,051	$ (106,881)	-0.31%
TOTAL INCOMING TRANSFERS	**$ 27,018,150**	**$ 34,100,932**	**$ 33,994,051**	**$ (106,881)**	**-0.31%**
EXPENDITURES, APPROPRIATIONS					
DEBT SERVICE					
Redemption of Principal	$ 17,441,000	$ 18,635,284	$ 20,034,323	$ 1,399,039	7.51%
Interest	$ 9,181,849	$ 16,803,500	$ 15,289,128	$ (1,514,372)	-9.01%
Dues and Fees	$ 1,197,433	$ 43,333	$ 16,360	$ (26,973)	-62.25%
TOTAL EXPENDITURES, APPROPRIATIONS	**$ 27,820,282**	**$ 35,482,117**	**$ 35,339,811**	**$ (142,306)**	**-0.40%**
BEGINNING FUND BALANCE	**$ 11,889,270**	**$ 12,831,068**	**$ 13,312,441**	**$ 481,373**	**3.75%**
Ending Fund Balance Restricted for Debt Service	**$ 12,831,068**	**$ 13,288,971**	**$ 13,587,441**	**$ 298,470**	**2.25%**

SPECIAL REVENUE – FOOD SERVICE FUND

SPECIAL REVENUE – FOOD SERVICE FUND

BUDGET OVERVIEW FY 2024-25

The District Food and Nutrition Services Department Fund is a self-sustaining fund. Revenue comes from state and federal reimbursement, payments received from students and adults, commodities and district contract and catering. The Department participates in the U.S. Department of Agriculture School Breakfast, National School Lunch, After School Snack, After School Supper, Fresh Fruit Vegetable and Commodity Distribution Programs. The USDA Community Eligibility Program is in place allowing students at twenty-four Title I schools to receive a free breakfast and free lunch. In addition, free breakfast is offered at all district schools. Revenue received is used to pay all expenses attributed to the operation of district Food and Nutrition Service Program.

SPECIAL REVENUE - FOOD SERVICE FUND

	2022 - 2023 ACTUAL	2023 - 2024 BUDGET as of 5/31/24	2024 - 2025 TENTATIVE BUDGET	2023 - 2024 TO CHANGE	2024 - 2025 PERCENT
ESTIMATED REVENUE					
FEDERAL THRU STATE					
Fresh Fruit & Vegetables	$ -	$ -	$ -	$ -	n/a
School Lunch Reimbursement	$ 16,887,905	$ 16,881,503	$ 18,026,000	$ 1,144,497	6.78%
School Breakfast Reimbursement	$ 5,752,879	$ 5,777,885	$ 6,814,900	$ 1,037,015	17.95%
After School Snack Reimbursement	$ 97,422	$ 223,353	$ 135,725	$ (87,628)	-39.23%
Child Care Food Program	$ 1,041,587	$ 1,081,500	$ 1,262,525	$ 181,025	16.74%
USDA Donated Foods	$ 2,757,818	$ 2,213,190	$ 2,213,190	$ -	0.00%
Cash in Lieu of Donated	$ 77,161	$ 75,000	$ 80,000	$ 5,000	6.67%
Summer Food Service Program	$ 376,559	$ -	$ -	$ -	n/a
Miscellaneous Federal Through	$ 2,181,458	$ 1,229,451	$ -	$ (1,229,451)	-100.00%
TOTAL FEDERAL THRU STATE REVENUE	**$ 29,172,787**	**$ 27,481,882**	**$ 28,532,340**	**$ 1,050,458**	**3.82%**
STATE SOURCES					
Breakfast Supplement	$ 145,215	$ 150,000	$ 150,000	$ -	0.00%
Lunch Supplement	$ 164,895	$ 170,000	$ 170,000	$ -	0.00%
TOTAL STATE SOURCES	**$ 310,110**	**$ 320,000**	**$ 320,000**	**$ -**	**0.00%**
LOCAL SOURCES					
Lease Revenue	$ 2,600	$ -	$ -	$ -	n/a
Interest on Investments	$ 654,832	$ 500,000	$ 420,000	$ (80,000)	-16.00%
Student Lunch Sales	$ 3,528,075	$ 3,800,000	$ 4,400,000	$ 600,000	15.79%
Adult Breakfast/Lunch	$ 110,744	$ 175,247	$ 190,000	$ 14,753	8.42%
Student/Adult Ala Carte	$ 1,825,413	$ 2,109,900	$ 2,400,000	$ 290,100	13.75%
Catering/Special	$ 29,212	$ 52,000	$ 46,000	$ (6,000)	-11.54%
Other Food Sales	$ -	$ -	$ -	$ -	n/a
Cash Short and Over	$ (943)	$ -	$ -	$ -	n/a
Other Misc. Local Sources	$ 178,822	$ 130,000	$ 150,000	$ 20,000	15.38%
Refunds of Prior Year Expend	$ 694	$ -	$ -	$ -	n/a
TOTAL LOCAL SOURCES	**$ 6,329,449**	**$ 6,767,147**	**$ 7,606,000**	**$ 838,853**	**12.40%**
TOTAL ESTIMATED REVENUE	**$ 35,812,347**	**$ 34,569,029**	**$ 36,458,340**	**$ 1,889,311**	5.47%
EXPENDITURES, APPROPRIATIONS					
Personnel Cost	$ 11,632,813	$ 12,589,087	$ 13,303,161	$ 714,074	5.67%
Food Cost	$ 16,935,736	$ 17,618,386	$ 19,094,550	$ 1,476,164	8.38%
Operational Cost	$ 4,501,394	$ 4,882,564	$ 4,721,740	$ (160,824)	-3.29%
Capital Outlay	$ 906,405	$ 1,540,215	$ 940,000	$ (600,215)	-38.97%
TOTAL EXPENDITURES, APPROPRIATIONS	**$ 33,976,348**	**$ 36,630,252**	**$ 38,059,451**	**$ 1,429,199**	3.90%
TOTAL BEGINNING BALANCE	**$ 12,771,125**	**$ 14,607,124**	**$ 12,221,019**	**$ (550,106)**	**-4.31%**
ENDING FUND BALANCE	**$ 14,607,124**	**$ 12,545,900**	**$ 10,619,908**	**$ (1,925,992)**	**-15.35%**

SPECIAL REVENUE – OTHER FEDERAL PROGRAMS

SPECIAL REVENUE – OTHER FEDERAL PROGRAMS

BUDGET OVERVIEW FY 2024-25

Other Federal Programs Funds are used to account for and report on activities of various Federal programs according to the specified purposes and requirements of each funding source.

Manatee County School District Federal Programs List

Title I

Part A, BASIC - Improving the Academic Achievement of the Disadvantaged:

The grant provides financial assistance to schools with high numbers or high percentages of children from low-income families to help ensure that all children meet challenging state academic standards.

Part C, Migrant Education Program:

The purpose of this grant is to:

1. Support high-quality and comprehensive educational programs for migratory children to help reduce the educational disruptions and other problems that result from repeated moves;
2. Ensure that migratory children who move among the States are not penalized
   in any manner by disparities among the States in curriculum, graduation requirements, and State academic content and student academic achievement standards;
3. Ensure that migratory children are provided with appropriate educational services (including supportive services) that address their special needs in a coordinated and efficient manner;
4. Ensure that migratory children receive full and appropriate opportunities to

meet the same challenging State academic content and student academic achievement standards that all children are expected to meet;

5. Design programs to help migratory children overcome educational disruption,
   cultural and language barriers, social isolation, various health-related problems, and other factors that inhibit the ability of such children to do well in school, and to prepare such children to make a successful transition to postsecondary education or employment; and
6. Ensure that migratory children benefit from State and local systemic reforms.

Part D, Local Delinquent Program:

The Title I, Part D Grant is designed to provide services for students identified as neglected or delinquent within Manatee County. Services will be provided in an effort to educate, remediate, and track students between educational sites within the district, as well as the state.

Title II *Part A, Teacher and Principal Training:*

The grant is to provide teacher and principal training, especially to meet the federal guidelines established for Highly Qualified teachers.

Title III *Language Instruction for Limited English Proficient and Immigrant Students:*

The purpose of this grant is to ensure that English language learners (ELLs) obtain:

1. English language supplement support for English language
2. Enhanced instruction for new arrival immigrant children

Title IV *Part A, Student Support and Academic Enrichment (SSAE):*

The Title IV, Part A grant is to improve student academic achievement by increasing the capacity of school districts in the following areas:

1. Providing all students with access to a well-rounded education,

2. Improving school conditions for student learning to support safe and healthy students, and
3. Improving the use of technology in order to advance digital literacy of all students.

<u>Part B</u>, 21st Century Community Learning Centers (ESSA):

The Title IV, Part B grant is to provide before and after school programs, particularly for students in low-performing schools, that provide enrichment activities to help children meet the challenging state academic standards.

Title IX

Part A, Education of Homeless Children and Youth Project:

The McKinney-Vento Education for Homeless Children and Youth Program is designed to address the problems that homeless children and youth have faced in enrolling, attending, and succeeding in school.

CARES Act

The Coronavirus Aid, Relief, and Economic Security (CARES) Act:

The CARES Act Funds are comprised of three primary emergency relief funds: The Governor's Emergency Education Relief (GEER), the Elementary and Secondary School Emergency Relief (ESSER) and the Higher Education Emergency Relief (HEERF) funds. These funds were designed to address the impact that COVID-19 has had and continues to have on elementary, secondary and postsecondary schools. These grants provided the district with additional funding for COVID-19 related expenses, technology for students that aids in regular and substantive educational interaction between students and their classroom instructors, technology for distant learners, counselors district-wide, postsecondary training for essential workforce skills, and financial aid for postsecondary students.

IDEA *Part B, Individuals with Disabilities Education Improvement Act:*

To provide full educational opportunities to all children with disabilities by funding activities that increase the level, intensity, and quality of services provided to individual children.

Part B, Pre-School Handicapped Act:

To provide full educational opportunities to all children with disabilities, ages 3 to 5, by funding activities that increase the level, intensity, and quality of services provided to individual children.

Perkins V *Strengthening Career & Technical Education for the 21st Century Act:*

The programs provide students with opportunities to develop occupational interests and acquire skills throughout their secondary and postsecondary educational experiences that will lead to gainful employment.

UniSIG *Unified School Improvement Grant, Title I, Part A:*

Funds from the Unified School Improvement Grant (UniSIG) are awarded on a per pupil basis in accordance with section 1003 of Title I of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA). These funds are used to serve students attending Title I schools identified for targeted (i.e., school grade of "D") or comprehensive (i.e., school grade of "F" or two consecutive grades of "D") support and improvement based on the most recent school grades release.

SPECIAL REVENUE - OTHER FEDERAL PROGRAMS

	2022 - 2023 ACTUAL	2023 - 2024 BUDGET as of 5/31/24	2024 - 2025 TENTATIVE BUDGET	2023 - 2024 TO CHANGE	2024 - 2025 PERCENT
REVENUES					
FEDERAL REVENUE					
Other Federal Direct	$ 2,684,621	$ 2,807,829	$ -	$ (2,807,829)	-100.00%
Vocational Education Acts	$ 900,487	$ 947,929	$ -	$ (947,929)	-100.00%
I.D.E.A.	$ 11,470,475	$ 16,737,448	$ 12,850,482	$ (3,886,966)	-23.22%
Elem & Sec Education, Title I	$ 16,247,208	$ 20,542,371	$ 11,499,142	$ (9,043,229)	-44.02%
Teacher, Princ, Train and Recruit Title II	$ 1,882,019	$ 2,433,976	$ -	$ (2,433,976)	-100.00%
Adult General Education	$ 651,102	$ 617,662	$ -	$ (617,662)	-100.00%
Farmworkers	$ 302,937	$ 286,823	$ -	$ (286,823)	-100.00%
Education Stabilization K-12	$ 44,094,646	$ 258,082	$ -	$ (258,082)	-100.00%
Education Stabilization Workforce	$ 1,732,962	$ -	$ -	$ -	n/a
Education Stabilization VPK	$ 25,495	$ -	$ -	$ -	n/a
Other Federal thru State	$ -	$ -	$ -	$ -	n/a
Other Miscellaneous State Revenue	$ 4,856,594	$ 3,191,629	$ -	$ (3,191,629)	-100.00%
TOTAL FEDERAL REVENUE	**$ 84,848,546**	**$ 47,823,749**	**$ 24,349,624**	**$ (23,474,125)**	**-49.08%**
				$ -	n/a
TOTAL ESTIMATED REVENUE	**$ 84,848,546**	**$ 47,823,749**	**$ 24,349,624**	**$ (23,474,125)**	**-49.08%**
EXPENDITURES, APPROPRIATIONS					
Instructional Services	$ 43,131,415	$ 30,033,129	$ 24,349,624	$ (5,683,505)	-18.92%
Pupil Personnel Services	$ 11,460,326	$ (405,979)	$ -	$ 405,979	-100.00%
Instructional Media Services	$ -	$ (6,131)	$ -	$ 6,131	-100.00%
Instr./Curr. Development Services	$ 7,608,657	$ 9,281,211	$ -	$ (9,281,211)	-100.00%
Instruct. Staff Training Services	$ 6,949,838	$ 6,654,293	$ -	$ (6,654,293)	-100.00%
Instruction-Related Technology	$ 74,633	$ 15,225	$ -	$ (15,225)	-100.00%
Board	$ -	$ (77)	$ -	$ 77	-100.00%
General Administration	$ 3,430,528	$ 1,337,678	$ -	$ (1,337,678)	-100.00%
School Administration	$ 63,213	$ (71,795)	$ -	$ 71,795	-100.00%
Facilities Acquisition & Construction	$ -	$ (3,224)	$ -	$ 3,224	-100.00%
Fiscal Services	$ 163,412	$ (182,612)	$ -	$ 182,612	-100.00%
Food Service	$ -	$ (45,111)	$ -	$ 45,111	-100.00%
Central Services	$ 128,721	$ 98,099	$ -	$ (98,099)	-100.00%
Pupil Transportation Services	$ 425,126	$ (739,269)	$ -	$ 739,269	-100.00%
Operation of Plant	$ 362,273	$ 23,510	$ -	$ (23,510)	-100.00%
Maintenance of Plant	$ 14,623	$ (3,963)	$ -	$ 3,963	-100.00%
Admin. Technology Services	$ 784,892	$ (9,049)	$ -	$ 9,049	-100.00%
Community Services	$ 7,240	$ (42,996)	$ -	$ 42,996	-100.00%
TOTAL EXPENDITURES, APPROPRIATIONS	**$ 74,604,898**	**$ 45,932,940**	**$ 24,349,624**	**$ (21,583,316)**	**-46.99%**
TRANSFERS OUT					
To General Fund	$ 3,143,648	$ 1,290,809	$ -	$ (1,290,809)	0.00%
To Internal Service	$ 7,100,000	$ 600,000	$ -	$ (600,000)	0.00%
TOTAL TRANSFERS OUT	**$ 10,243,648**	**$ 1,890,809**	**$ -**	**$ (1,290,809)**	**-**
TOTAL ENDING FUND BALANCE	**$ -**	**$ -**	**$ -**	**$ -**	**n/a**

Note:
The Special Revenue Fund Report does not reflect Current Budget for grants that cross fiscal years.

INTERNAL SERVICE FUND

INTERNAL SERVICE FUND

BUDGET OVERVIEW FY 2024-25

The Internal Service Fund is used to account for Self-Insurance Programs. Currently, this fund contains the Medical Insurance Program as well as the Worker's Compensation Program. The Medical Program includes employee health insurance. This program is sustained by employee, retiree and employer contributions. The Worker's Compensation Program is sustained by employer contributions and provides funding for the Worker's Compensation expenses.

INTERNAL SERVICE FUND - HEALTH INSURANCE

	2022 - 2023 ACTUAL	2023 - 2024 BUDGET as of 5/31/24	2024 - 2025 TENTATIVE BUDGET	2023 - 2024 TO CHANGE	2024 - 2025 PERCENT
REVENUES					
LOCAL SOURCES					
Gifts, Grants & Bequests	$ -	$ -	$ -	$ -	n/a
Premium Income	$ 46,155,806	$ 54,642,000	$ 59,404,925	$ 4,762,925	8.72%
Misc. Local Sources	$ -	$ -	$ -	$ -	n/a
TOTAL LOCAL REVENUE	$ 46,155,806	$ 54,642,000	$ 59,404,925	$ 4,762,925	**8.72%**
TOTAL ESTIMATED REVENUE	**$ 46,155,806**	**$ 54,642,000**	**$ 59,404,925**	**$ 4,762,925**	**8.72%**
EXPENDITURES, APPROPRIATIONS					
Plan Administration	$ 3,920,470	$ 4,114,234	$ 4,171,027	$ 56,793	1.38%
Claims Expenses	$ 59,909,554	$ 55,007,000	$ 57,577,000	$ 2,570,000	4.67%
TOTAL EXPENDITURES, APPROPRIATIONS	**$ 63,830,024**	**$ 59,121,234**	**$ 61,748,028**	**$ 2,626,794**	**4.44%**
TRANSFERS IN					
From General Fund	$ 15,000,000	$ -	$ -	$ -	n/a
From Special Revenue	$ 7,100,000	$ 600,000	$ -	$ -	0.00%
	$ 22,100,000	**$ 600,000**	**$ -**	**$ -**	**0.00%**
BEGINNING FUND BALANCE	**$ 8,444,558**	**$ 12,870,340**	**$ 10,602,963**	**$ (2,267,377)**	**-17.62%**
ENDING FUND BALANCE	**$ 12,870,340**	**$ 8,991,106**	**$ 8,259,860**	**$ (731,246)**	**-8.13%**

INTERNAL SERVICE FUND - WORKERS COMPENSATION

	2022 - 2023 ACTUAL	2023 - 2024 BUDGET as of 5/31/24	2024 - 2025 TENTATIVE BUDGET	2023 - 2024 TO CHANGE	2024 - 2025 PERCENT
REVENUES					
LOCAL SOURCES					
Premium Income	3,036,424	3,667,862	4,600,000	932,138	25.41%
TOTAL LOCAL REVENUE	**3,036,424**	**3,667,862**	**4,600,000**	**932,138**	**25.41%**
TOTAL ESTIMATED REVENUE	**3,036,424**	**3,667,862**	**4,600,000**	**932,138**	**25.41%**
EXPENDITURES, APPROPRIATIONS					
Plan Administration	536,843	646,786	606,931	(39,855)	-6.16%
Claims Expenses	3,200,717	3,098,014	3,500,000	401,986	112.98%
TOTAL EXPENDITURES, APPROPRIATIONS	**3,737,561**	**3,744,800**	**4,106,931**	**362,131**	**9.67%**
TOTAL BEGINNING FUND BALANCE	**2,266,182**	**1,565,045**	**1,698,338**	**362,131**	**23.14%**
ENDING FUND BALANCE	**1,565,045**	**1,488,107**	**2,191,408**	**703,301**	**47.26%**

TRUST AND AGENCY FUND

TRUST AND AGENCY FUND

BUDGET OVERVIEW FY 2024-25

The Trust and Agency Funds are private-purpose funds used to report resources held by the District in a trustee or custodial capacity for others that, therefore, cannot be used to support the District's own programs. Included in these funds are Donation and MTC Scholarship Funds.

TRUST AND AGENCY FUND

	2022 - 2023 ACTUAL	2023 - 2024 BUDGET as of 5/31/24	2024 - 2025 TENTATIVE BUDGET	2022 - 2023 TO CHANGE	2023 - 2024 PERCENT
REVENUES					
ESTIMATED REVENUE					
Miscellaneus Federal Direct	$ 217,823	$ 215,000	$ 229,161	$ 14,161	6.59%
Gift, Grants and Benefits	$ 42,884	$ 22,087	$ -	$ (22,087)	-100.00%
Financial Aid Fees-FEFP Course	$ 272,734	$ 227,952	$ 260,000	$ 32,048	14.06%
Other Misc Local Sources	$ 293,653	$ 309,029	$ 320,124	$ 11,095	3.59%
TOTAL ESTIMATED REVENUE	**$ 827,094**	**$ 774,067**	**$ 809,285**	**$ 35,217**	**4.55%**
EXPENDITURES, APPROPRIATIONS					
Instructional Services	$ 598,997	$ 1,831,575	$ 2,005,374	$ 173,799	9.49%
Pupil Personnel Services	$ 41,715	$ 12,773	$ 1,580	$ (11,193)	-87.63%
Instruction and Curriculum Development	$ 1,024	$ 24,346	$ 25,428	$ 1,082	4.44%
Instructional Staff Training Services	$ -	$ -	$ -	$ -	n/a
General Administration	$ 2,502	$ 13,656	$ 13,839	$ 183	1.90%
Central Services	$ 6,352	$ 9,627	$ 6,374	$ (3,253)	n/a
Operation of Plant	$ -	$ 250	$ 270	$ 20	n/a
Community Services	$ -	$ 3,500	$ 3,500	$ -	0.00%
TOTAL EXPENDITURES, APPROPRIATIONS	**$ 650,590**	**$ 1,895,727**	**$ 2,056,365**	**$ 160,638**	**8.47%**
BEGINNING FUND BALANCE	**$ 945,156**	**$ 1,121,660**	**$ 1,247,081**	**$ 125,421**	**11.18%**
ENDING FUND BALANCE	**$ 1,121,660**	**$ -**	**$ -**	**$ -**	**n/a**

TRIM ADVERTISEMENT

BUDGET SUMMARY

THE PROPOSED OPERATING BUDGET EXPENDITURES OF THE SCHOOL BOARD OF MANATEE COUNTY, FLORIDA ARE 8.6 PERCENT MORE THAN LAST YEAR'S TOTAL OPERATING EXPENDITURES

FISCAL YEAR 2024-2025

PROPOSED MILLAGE LEVIES (SUBJECT TO 10-MILL CAP):

Required Local Effort (including Prior Period	3.0510	Discretionary Operating	0.7480	**NOT SUBJECT TO 10-MILL CAP**	
Funding Adjustment Millage)				Operating or Capital Not to	0.0000
Local Capital Improvement (Capital Outlay)	1.5000	Additional Millage Not to Exceed 4 years	1.0000	Exceed 2 Years	
Discretionary Capital Improvement	0.0000	(Operating)		Debt Service	0.0000
				Total Millage	**6.2990**

ESTIMATED REVENUES:	GENERAL FUND	SPECIAL REVENUE	DEBT SERVICE	CAPITAL PROJECTS	INTERNAL SERVICE FUNDS	TRUST AND AGENCY FUND	TOTAL ALL FUNDS
Federal sources	1,638,584	52,881,964	1,005,960	-	-	229,161	**55,755,669**
State sources	182,426,638	320,000	339,800	16,156,790	-	-	**199,243,228**
Local sources	390,707,576	7,606,000	275,000	206,136,905	64,004,925	580,124	**669,310,529**
TOTAL SOURCES	**574,772,798**	**60,807,964**	**1,620,760**	**222,293,695**	**64,004,925**	**809,284**	**924,309,426**
Transfers In	23,501,540	-	33,994,051	-	-	-	**57,495,591**
Nonrevenue Sources	-	-	-	140,000,000	-	-	**140,000,000**
Fund Balances/Net Position	101,916,654	12,221,019	13,312,441	327,960,297	12,301,301	1,247,081	**468,958,793**
TOTAL REVENUES, TRANSFERS AND FUND BALANCES/NET POSITION	**700,190,991**	**73,028,983**	**48,927,252**	**690,253,992**	**76,306,226**	**2,056,365**	**1,590,763,809**
APPROPRIATIONS/EXPENDITURES							
Instruction	439,112,878	24,349,624	-	-	-	2,005,374	**465,467,875**
Pupil Personnel Services	29,700,928	-	-	-	-	1,580	**29,702,508**
Instructional Media Services	5,733,580	-	-	-	-	-	**5,733,580**
Instructional and Curriculum Development Services	8,759,823	-	-	-	-	25,428	**8,785,251**
Instructional Staff Training Services	1,972,510	-	-	-	-	-	**1,972,510**
Instructional Technology	-	-	-	-	-	-	**-**
Board of Education	1,575,345	-	-	-	-	-	**1,575,345**
General Administration	4,389,542	-	-	-	-	13,839	**4,403,381**
School Administration	37,218,513	-	-	-	-	-	**37,218,513**
Facilities Acquisition and Construction	7,770,206	-	-	513,857,718	-	-	**521,627,924**
Fiscal Services	3,766,704	-	-	-	-	-	**3,766,704**
Food Services		38,059,451	-	-	-	-	**38,059,451**
Central Services	16,382,668	-	-	-	65,854,958	6,374	**82,244,000**
Pupil Transportation Services	21,029,461	-	-	-	-	-	**21,029,461**
Operation of Plant	50,831,947	-	-	-	-	270	**50,832,217**
Maintenance of Plant	12,180,711	-	-	-	-	-	**12,180,711**
Administrative Technology Services	8,948,246	-	-	-	-	-	**8,948,246**
Community Services	6,943,603	-	-	-	-	3,500	**6,947,103**
Debt Services	655,377	-	35,339,811	-	-	-	**35,995,188**
TOTAL APPROPRIATIONS/EXPENDITURES	**656,972,041**	**62,409,075**	**35,339,811**	**513,857,718**	**65,854,958**	**2,056,365**	**1,336,489,968**
Transfers Out	-	-	-	57,495,591	-	-	**57,495,591**
Fund Balances/Net Position	43,218,950	10,619,908	13,587,441	118,900,684	10,451,268	-	**196,778,251**
TOTAL APPROPRIATED EXPENDITURES TRANSFERS, RESERVES & BALANCES	**700,190,991**	**73,028,983**	**48,927,252**	**690,253,992**	**76,306,226**	**2,056,365**	**1,590,763,809**

The tentative, adopted, and/or final budgets are on file in the office of the above mentioned taxing authority as a public record.

NOTICE OF PROPOSED TAX INCREASE

The School District of Manatee County, Florida, will soon consider a measure to increase its property tax levy.

Last year's property tax levy

A. Initially proposed tax levy	$ 463,429,226
B. Less tax reductions due to Value Adjustment Board and other assessment changes	$ 1,984,816
C. Actual property tax levy	$ 461,444,410
This year's proposed tax levy	**$ 495,467,208**

A portion of the tax levy is required under state law in order for the school board to receive **$211,334,518** in state education grants. The required portion has **increased** by **0.73** percent and represents approximately **five-tenths** of the total proposed taxes.

The remainder of the taxes is proposed solely at the discretion of the school board.

All concerned citizens are invited to a public hearing on the tax increase to be held on **July 30, 2024 at 5:05 p.m. in the Board Room of the School Administration Building located at 215 Manatee Avenue West, Bradenton, FL.**

A DECISION on the proposed tax increase and the budget will be made at this hearing.

NOTICE OF TAX FOR SCHOOL CAPITAL OUTLAY

The School District of Manatee County, Florida, will soon consider a measure to continue to impose a 1.5 mill property tax for the capital outlay projects listed herein.

This tax is in addition to the school board's proposed tax of 4.799 mills for operating expenses and is proposed solely at the discretion of the school board.

****THE PROPOSED COMBINED SCHOOL BOARD TAX INCREASE FOR BOTH OPERATING EXPENSES AND CAPITAL OUTLAY IS SHOWN IN THE ADJACENT NOTICE.**

The capital outlay tax will generate approximately $113,267,627 to be used for the following projects:

CONSTRUCTION AND REMODELING

High School Field Upgrades
Palmetto High School Renovations
School Support Center Renovations
Site Acquisition and Site Improvements
Southeast High School Science Building Construction
Transportation School Bus Hubs
ADA Compliance – All Schools
Construction and Remodeling – County Wide
Facilities Project Management

MAINTENANCE, RENOVATION, AND REPAIR

Reimbursement of maintenance, renovation, and repairs paid through the General Fund as permitted by Florida Statute:

Classroom Remodeling/Renovations
Computer Networking Schools/Ancillary Facilities
Electrical and Plumbing Fixtures
Fencing
Floors
HVAC Systems /EMS Upgrades
Intercom System
Interior Finishes
Interior/Exterior Painting
Landscaping/Site work/Drainage/Irrigation Systems
Maintenance County Wide
Outdoor Lighting
Parking Lot and Walkways
Playground Equipment/Outdoor Athletic Facilities
Repair Existing Equipment
Replace Carpet/Floor Tile
Roofing or Roof Replacement
Routine Maintenance of Facilities
Safety (SREF) Requirements
Security Systems Replacement
Set-up/Breakdown/Relocation of Portable
Sound System Replacement
Support Services Renovations
System Equipment (Current Code)
Windows/Doors

MOTOR VEHICLE PURCHASES

Purchase of ten (10) school buses and or purchase/lease purchase of additional thirty (30) school buses
Purchase, lease-purchase, or lease of motor vehicles used for the maintenance or operation of plants and equipment; Security vehicles; and vehicles used in storing or distributing materials and equipment

NEW AND REPLACEMENT EQUIPMENT, COMPUTER AND DEVICE HARDWARE AND OPERATING SYSTEM SOFTWARE NECESSARY FOR GAINING ACCESS TO OR ENHANCING THE USE OF ELECTRONIC AND DIGITAL INSTRUCTIONAL CONTENT AND RESOURCES, AND ENTERPRISE RESOURCE SOFTWARE

Furniture and Equipment
Lease-Purchase of Computer Hardware
Lease-Purchase of Printers/Copiers/Metal Detectors
New Library Books
New Band Uniforms
Enterprise Technology and Software, acquired via license/maintenance fees or lease agreements

PAYMENTS FOR EDUCATIONAL FACILITIES AND SITES DUE UNDER A LEASE-PURCHASE AGREEMENT

Debt service payments on Certificates of Participation

PAYMENTS FOR RENTING AND LEASING EDUCATIONAL FACILITIES AND SITES

Lease of Portable Classrooms, Lease of Site(s) for District personnel

PAYMENTS OF LOANS APPROVED PURSUANT TO SS 1011.14 AND 1011.15. F.S.

Section 1011 Loans

PAYMENT OF COSTS OF COMPLIANCE WITH ENVIRONMENTAL STATUTES, RULES AND REGULATIONS

Removal of Hazardous Waste
Wetlands Monitoring & Improvements
Environmental/Remediation

PAYMENT OF PREMIUMS FOR PROPERTY AND CASUALTY INSURANCE NECESSARY TO INSURE THE EDUCATIONAL AND ANCILLARY PLANTS OF THE SCHOOL DISTRICT

Insurance Premiums on District facilities

PAYMENT OF SALARIES AND BENEFITS

Salaries and benefits for school bus drivers, and other employees whose job duties support activities funded by the above categories.

CHARTER SCHOOL CAPITAL OUTLAY PROJECTS PURSUANT TO S. 1013.62(4), F.S.

PURCHASE OF REAL PROPERTY
CONSTRUCTION OF SCHOOL FACILITIES
PURCHASE OR LEASE OF PERMANENT OR RELOCATABLE SCHOOL FACILITIES
PURCHASE OF VEHICLES TO TRANSPORT STUDENTS
RENOVATION, REPAIR, AND MAINTENANCE OF SCHOOL FACILITIES
PAYMENT OF THE COST OF PREMIUMS FOR PROPERTY AND CASUALTY INSURANCE NECESSARY TO INSURE SCHOOL FACILITIES
PURCHASE OR LEASE OF DRIVER'S EDUCATION VEHICLES, MAINTENANCE VEHICLES, SECURITY VEHICLES, OR VEHICLES USED IN STORING OR DISTRIBUTING MATERIALS AND EQUIPMENT
COMPUTER AND DEVICE HARDWARE AND OPERATING SYSTEM SOFTWARE NECESSARY FOR GAINING ACCESS TO OR ENHANCING THE USE OF ELECTRONIC AND DIGITAL INSTRUCTIONAL CONTENT AND RESOURCES, AND ENTERPRISE RESOURCE SOFTWARE
PAYMENT OF COSTS OF OPENING DAY COLLECTION FOR LIBRARY MEDIA CENTER

All concerned citizens are invited to a public hearing to be held on July 30, 2024 at 5:05 p.m., in the Board Room of the School Administration Building located at 215 Manatee Avenue West, Bradenton, FL. A DECISION on the proposed CAPITAL OUTLAY TAXES will be made at this hearing.

AGENDA ITEM NO. 3.b

School Board of Manatee County
July 30, 2024 - Special Meeting and Public Hearing

Title
2023-2024 FLDOE School and District Accountability

Executive Summary
Superintendent Wysong and Mr. Derek Jensen, Deputy Superintendent of Instruction, will present the District School Grades report.

Contact
Initiating Department: Superintendent and Instructional Services
Initiated by: Derek Jensen

AGENDA ITEM NO. 4.a

School Board of Manatee County
July 30, 2024 - Special Meeting and Public Hearing

Title
Public Hearing Regarding the 2024-2025 Tentative Millage Rates and Tentative Budget

Executive Summary
Public Hearing for the Board to hear public comments regarding the adoption of the 2024-2025 Tentative Millage Rate of 6.2990 and the adoption of the 2024-2025 Tentative Budget in an amount to be determined of $1,590,763,809 and answer questions related thereto. The 2024-2025 Tentative Budget Book is attached for review.

Contact
Submitting Department: Business Services
Initiated By: Rachel Sellers

Attachments:
Tentative Budget Book 2024-2025











School District of Manatee County

Tentative Annual Budget

2024-2025

July 30, 2024

Jason C. Wysong, Ed.D.,

Superintendent

Chad Choate III, Chair

Cindy Spray, Vice Chair

Mary Foreman, Member

Gina Messenger, Member

Richard Tatem, Member

Jason C. Wysong, Ed.D., Superintendent

The School District of Manatee County

215 Manatee Avenue West

Bradenton, Florida 34205

941-708-8770

www.manateeschools.net

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SCHOOL DISTRICT OF MANATEE COUNTY

MEMORANDUM

DATE: July 30, 2024

TO: Members of the School Board

FROM: Jason C. Wysong, Ed.D., Superintendent of Schools JW

SUBJECT: 2024-2025 Tentative Budget

The following pages disclose the School District of Manatee County's Tentative Annual Budget for the 2024-2025 school year, which is allocated among the following funds:

Fund Name	Budgeted Revenue, Transfers In and Fund Balance	Budgeted Expenses and Transfers Out	Budgeted Fund Balance
General	$700,190,991	$656,972,041	$43,218,950
Capital	$690,253,992	$571,353,308	$118,900,684
Debt	$48,927,252	$35,339,811	$13,587,441
Special Revenue	$73,028,983	$62,409,075	$10,619,908
Internal Services	$76,306,226	$65,854,958	$10,451,268
Trust and Agency	$2,056,365	$2,056,365	$0
Total	$1,590,763,809	$1,393,985,558	$196,778,251

This budget is based on funding expected to be received from the State based on 56,470 unweighted FTE for K-12 students as identified in the Florida Department of Education 2024-2025 2nd calculation published on July 17, 2024.

On Tuesday, July 30, 2024, I will recommend approval of the tentative millages and tentative budget for Fiscal Year 2024-2025.

If you have any questions or need additional information, please contact Rachel Sellers, Deputy Superintendent of Business Services, at 941-708-8770, ext. 41108.

SCHOOL BOARD

Chad Choate III
Chair

Cindy Spray
Vice Chair

Mary Foreman
Gina Messenger
Richard Tatem

SUPERINTENDENT

Jason C. Wysong, Ed.D.

P.O. Box 9069
Bradenton, FL 34206-9069
215 Manatee Avenue West
Bradenton, FL 34205
941.708.8770
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INTRODUCTION

EXECUTIVE SUMMARY

The School District of Manatee County continues to demonstrate strong financial stewardship. For the eighth consecutive year, the district anticipates ending FY 2023-2024 with a positive general fund balance of $101,916,654.

MAJOR INITIATIVES AND ACCOMPLISHMENTS

Fiscal year 2023-24 was an active and successful year for the School District of Manatee County. The District's accomplishments include:

WE ARE SUSTAINING SUCCESS UNDER NEW LEADERSHIP

- Dr. Jason Wysong completed his first school year as superintendent on May 24, 2024. A former deputy superintendent in Seminole County, he came to Manatee County in July 2023.
- Members of the District's Class of 2024 earned $21.2 million in scholarships and were accepted into colleges and universities across the country and all five branches of the military.
- Manatee was one of 3 U.S. districts named "District of the Year" by Cambridge International for increasing access to rigorous curriculum and strong performance on course exams.
- District students won twenty-nine "Best in State" awards at the Florida Technology Student Association (TSA) Conference – the most by any district - and Braden River High won the high school state championship.
- The American Boat & Yacht Council named Manatee Technical College instructor Freddie Fowler the 2023 Marine Service Technology Instructor of the Year.

WE ARE FINANCIALLY SOUND

- The School District's General Fund Balance has grown from $14.4 million on June 30, 2014, to $101.9 million at the end of June 30, 2024.
- Global Financial Ratings firms – Moody's, Standard and Poor's, and Fitch Ratings – have all remained consistent based upon the financial performance of the district.

WE ARE PAYING COMPETITIVE SALARIES

- This past school year marked the eighth-consecutive year the District provided pay increases to teachers and other employees.
- Pay for a beginning teacher increased from $38,285 in 2015-2016 to $57,572 (including referendum supplement) in 2023-24.

WE ARE PREPARING FOR GROWTH

- Palmetto High School has a major project in progress that includes a new two-story classroom.

building, new cafeteria, administration building renovation/addition, upgrades to the baseball facilities, new bus loop, and site improvements.

- The Buffalo Creek Middle School addition project was completed this past school year that included a new multi-story media center, eight classroom addition, renovations to the administration building, enhancements to the main entry, three additional classrooms and improved vehicular access off 69th Street East.
- Major renovations and additions are under construction at Haile Middle School, Tara Elementary, Blackburn Elementary, and Oneco Elementary Schools. Construction on the campuses commenced in the fall of 2023 and the projects are funded by the 2023 COPS.
- The Palma Sola Elementary School renovation and additions project is under design. The project will include the replacement of the majority of the existing campus buildings and renovation/remodeling of the newer structures on campus with campus-wide utility and infrastructure upgraded and is funded by the 2023 COPS.
- This past school year major addition projects were completed for two high schools: Southeast - science classroom addition and Lakewood Ranch - 20 classroom addition.
- The Parrish Community High School addition is under construction and will include an additional sixteen classrooms.
- The East County K-8 is under construction with the elementary portion of the campus scheduled for completion for the 2025-26 school year and the middle school the following school year.
- The Maintenance Division continues to focus on energy conservation by identifying and replacing inefficient lighting with LEDs at Stadiums, Gymnasiums, Parking Lots, Media Centers, Classrooms, and Auditoriums along with chillers and other HVAC infrastructure components.
- The District is participating in the Electric School Bus Grant offered through the Department of Environmental Protection. Four Electric School Buses were delivered this school year and construction was completed for the charging stations this spring.
- Construction has commenced for the new Middle School facility in the North River Ranch area with a planned completion for the 2025-26 school year.
- Planning is under way for two new Elementary Schools located in the Rye Ranch and Artisan Lakes areas with projected openings for the 2026-27 school year.
- For the 2023-2024 School Year Food and Nutrition Services (FNS) served over 8.4 million meals, averaging 16,000 breakfasts, 28,000 lunches and 3,000 after school meals daily.
- FNS in 2023-2024 completed a successful U.S.D.A. Summer Meals Administrative Review which included procurement, resource management, and menu compliance.

WE ARE A LEADER IN OFFERING STUDENT INNOVATIVE ACADEMIC OPTIONS

- Guy Harvey Academy of Arts and Science at Anna Maria Elementary School in 2022, and Dr. Guy Harvey's artwork has been installed at two additional schools in 2024; Manatee High School and King Middle School to celebrate the educational partnership.
- The Woz-Ed program founded by Apple co-found Steve Wozniak continues to offer educational opportunities to our Middle School teachers and students, providing a full day training session to our eighth-grade teachers across the district.
- Florida's first elementary agricultural program at Myakka City Elementary was established in 2023 and agricultural programs across multiple schools provide students with farm-to-table experiences.

WE ARE IMPLEMENTING OUR STRATEGIC PLAN AND TECHNOLOGY PLAN

- Successfully implementing the District's READY 2026 Strategic Plan.
- Board approved District Technology Plan December 8, 2020 – June 2025.
- Digitized over 6.8 million student, staff, and department records.
- Electronically transferred 6,610 student records between districts in the last two years.
- Dark fiber infrastructure upgrades completed at 54 sites connecting to (2) data centers.
- Network switch and wireless access point upgraded to seventeen elementary schools.
- 9,000+ student and staff computer devices deployed.
- Five elementary school media centers received innovative and modern renovation, furniture, and technology upgrades.

WE ARE INCREASING SECURITY

- Phases 1, 2 and 3 of the security fencing projects have been completed.
- Annual Florida Safe Schools Assessment Tool (FSSAT) performed by school officials to identify threats and vulnerabilities in all schools.
- School Safety Guardians completed training and are prepared to protect staff and students on our school campuses.
- Prepared all schools and district buildings for a crisis utilizing a Crisis Alert System in compliance with Alyssa's Law.
- Expanded Weapons Detection in schools by adding Evolv Weapons Detection Systems and a Firearms Detection Canine.

WE ARE SUPPORTED BY OUR COMMUNITY

- Manatee County voters renewed a 15-year, Half-Cent Sales Tax for District capital needs in November 2016.
- Manatee County voters overwhelmingly renewed a 1-mill property tax in November 2021 by a margin of 69% to 31% to support additional instructional time, competitive teacher pay, STEAM programs and charter schools.

WE ARE CELEBRATING STUDENT AND STAFF ACHIEVEMENTS

- The School Board honored sixteen employees with 40 or more years of service in our school district, including two employees with 50 years of service each.
- A total of seventy-seven district students auditioned and were accepted into the National Youth Choir. They traveled to New York with their Choral Directors and sang at Carnegie Hall.
- Prine Elementary third-grade teacher Katie Bagley was named the district's Educator of the Year at the Excellence in Education Awards in February at Manatee High.
- Sea Breeze Elementary Paraprofessional Denise Costello was named Support Employee of the Year at the Excellence in Education Awards in February at Manatee High.

WE ARE CHAMPIONS

- District high schools have won four-straight softball state championships: Lakewood Ranch High 2021 and 2022, and Parrish Community High 2023 and 2024.
- A ninth-grade student from Braden River High School, won the Girls Overall Singles State Championship in Class 3A.
- A senior at Palmetto High, won his third-straight Class 3A-State Weightlifting Championship at 169 pounds.

FISCAL YEAR 2024-2025 BUDGET OBJECTIVES

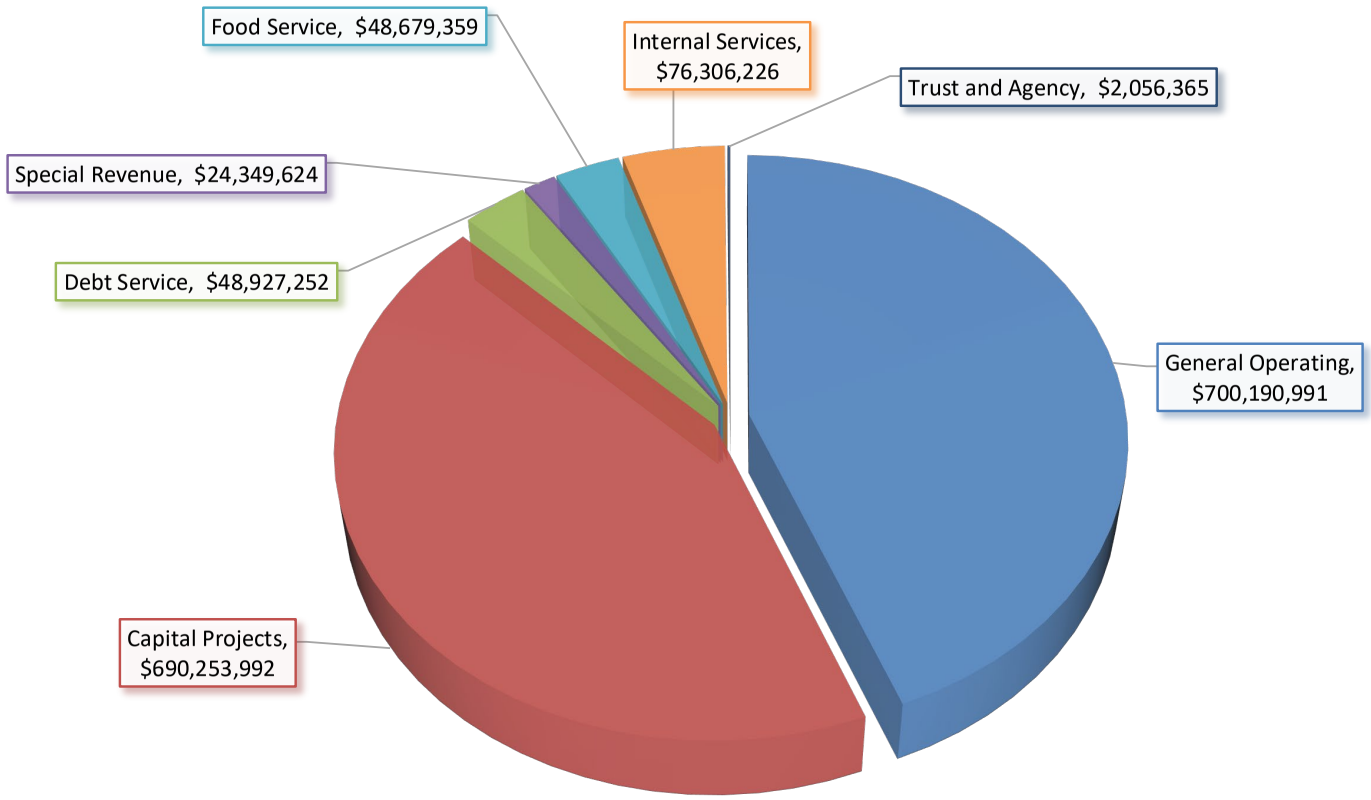
Full Time Equivalent (FTE) Student enrollment has increased 1,829 FTE from the FY 2023-2024 Fourth Calculation to the FY 2024-2025 FEFP 2nd Calc report. District leadership developed the FY 2024-2025 budget to prepare for potential higher enrollment, maintain financial stability, academic achievement, and staff satisfaction.

The FY 2024-2025 Total Budget is $1,590,763,809 and is comprised of General, Capital, Debt Service, Special Revenue, Internal Service, and Trust and Agency funds.

General fund 2024-2025 beginning fund balance, revenues, and transfers in from all sources are budgeted at $700,190,991 an increase of 4.3% versus 2023-2024 Current Budget as of May 31, 2024. The increased funding will allow the District to continue the path of financial resiliency, educate over 56,470 students, fill current vacancies, and further improve upon the educational experience for all students.

Capital 2024-2025 beginning fund balance, revenues, transfers in, and other funding sources are budgeted to be $690,253,992 up by 24.7% as of May 31, 2024 versus 2023-2024 Current Budget due primarily to an additional $140,000,000 in revenue expected from a new issuance of Certificates of Participation, Series 2025A. The Certificates of Participation will fund the building of two new elementary schools.

SCHOOL BOARD OF MANATEE COUNTY 2024-2025 BUDGET BY FUND



TOTAL TENTATIVE BUDGET BY FUND - $1,590,763,809

Budget Summary - 2024-2025 Original Budget
Fund Balance Calculation Schedule

Beginning Fund Balance

General Fund	+	Special Revenue Fund	+	Internal Service Fund	+	Trust and Agency Fund	+	Debt Service Fund	+	Capital Projects Fund	=	Total Beginning Fund Balance
$101,916,654		$12,221,019		$12,301,301		$1,247,081		$13,312,441		$327,960,297		$468,958,793

Total Revenues

General Fund	+	Special Revenue Fund	+	Internal Service Fund	+	Trust and Agency Fund	+	Debt Service Fund	+	Capital Projects Fund	=	Total Revenues
$574,772,798		$60,807,964		$64,004,925		$809,285		$1,620,760		$222,293,695		$924,309,426

Transfers In

General Fund	+	Special Revenue Fund	+	Internal Service Fund	+	Trust and Agency Fund	+	Debt Service Fund	+	Capital Projects Fund	=	Total Transfers In/Non Revenue Sources
$23,501,540		$0		$0		$0		$33,994,051		$140,000,000		$197,495,590

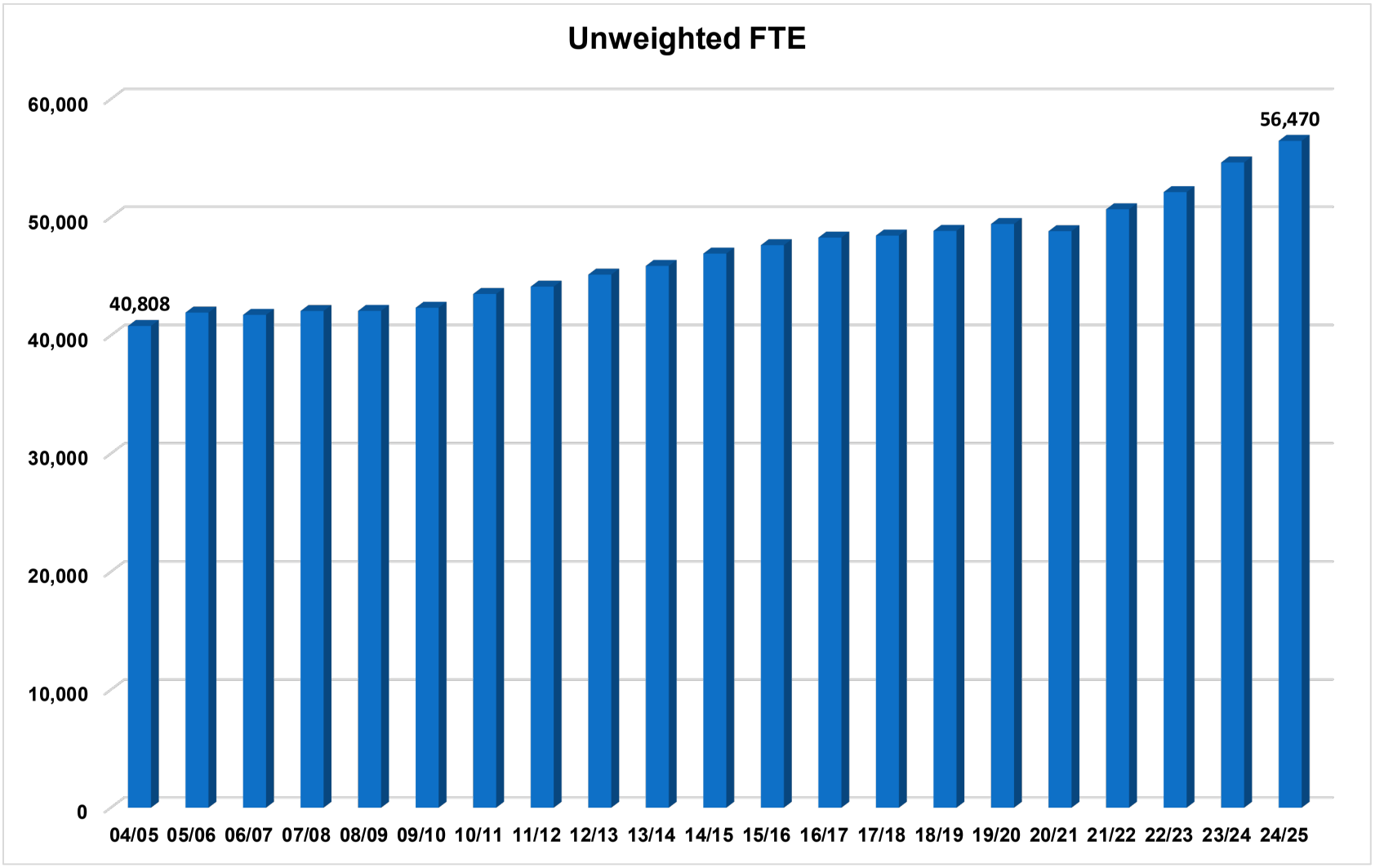
Total Revenues, Transfers In & Balances

General Fund	+	Special Revenue Fund	+	Internal Service Fund	+	Trust and Agency Fund	+	Debt Service Fund	+	Capital Projects Fund	=	Total Budget
$700,190,991		**$73,028,983**		**$76,306,226**		**$2,056,365**		**$48,927,252**		**$690,253,992**		**$1,590,763,809**

STUDENT GROWTH

Fiscal Year	Unweighted FTE	Percentage Change	Actual Growth	Growth Rate
24/25 2nd Calc	56,470	3.24%	1,829	3.35%
23/24 4th Calc	54,641	4.60%	2,511	4.82%
22/23 Final Calc	52,130	2.78%	1,450	2.86%
21/22 Final Calc	50,680	3.66%	1,854	3.80%
20/21 Final Calc	48,826	-1.25%	-611	-1.24%
19/20 Final Calc	49,436	1.18%	584	1.20%
18/19 Final Calc	48,853	0.82%	398	0.82%
17/18 Final Calc	48,454	0.35%	171	0.35%
16/17 Final Calc	48,284	1.32%	640	1.34%
15/16 Final Calc	47,644	1.50%	713	1.52%
14/15 Final Calc	46,931	2.22%	1,040	2.27%
13/14 Final Calc	45,890	1.61%	740	1.64%
12/13 Final Calc	45,150	2.25%	1,014	2.30%
11/12 Final Calc	44,136	1.40%	620	1.42%
10/11 Final Calc	43,516	2.68%	1,167	2.76%
09/10 Final Calc	42,349	0.62%	265	0.63%
08/09 Final Calc	42,084	0.03%	12	0.03%
07/08 Final Calc	42,072	0.78%	328	0.79%
06/07 Final Calc	41,744	-0.47%	-194	-0.46%
05/06 Final Calc	41,939	2.70%	1,130	2.77%
04/05 Final Calc	40,808	3.07%	1,255	3.17%

Note: 2nd Calc, 4th Calc and Final Calc refers to the Florida Education Finance Program (FEFP) calculation period provided to the School District from the Department of Education.


Unweighted FTE
60,000
50,000
40,000
30,000
20,000
10,000
0
40,808
56,470
04/05 05/06 06/07 07/08 08/09 09/10 10/11 11/12 12/13 13/14 14/15 15/16 16/17 17/18 18/19 19/20 20/21 21/22 22/23 23/24 24/25

MILLAGE

MILLAGE OVERVIEW

Annually, property owners in Manatee County pay property taxes. Part of their property taxes is levied by the School Board to support the Manatee County School District.

This year the proposed tentative levy is 6.299 and is composed of the following:

Required Local Effort	3.039
Prior Period Millage Adjustment	0.012
Additional Voted Millage	1.000
	4.051
Local Capital Improvement (Capital Outlay)	1.500
Discretionary Operating	0.748
Total Millage	**6.299**

The Required Local Effort Millage is an appropriated amount set by the Florida Department of Education. The School Board must levy this amount in order to receive state funding. The Required Local Effort Millage (Prior Year Adjustment) is an appropriated amount set by the Florida Department of Education. This millage is levied if the prior period Unrealized Required Local Effort funds are greater than zero. The District is required to levy this amount.

Additional Voted Approved Millage will continue to be levied for three years starting in FY 2022-23. The Additional Voted Millage of 1 mill is for increased instruction time by 30 minutes each day, increased pay for teachers, bus drivers and other staff who work directly with students and expanded career, technical, science/engineering, and arts programs.

Discretionary Operating Millage is used by the School Board to support the general operation of the District. Though this millage is optional, it is an integral part of the Operating Budget. Throughout the last several years, this millage has varied. From FY 1991-92 until FY 2008-09 the millage was set at 0.510 mills. For FY 2008-09, the Legislature capped the millage at 0.498 mill. In FY 2009-10, the legislature further reduced the Capital Outlay Millage by 0.25 and added it to

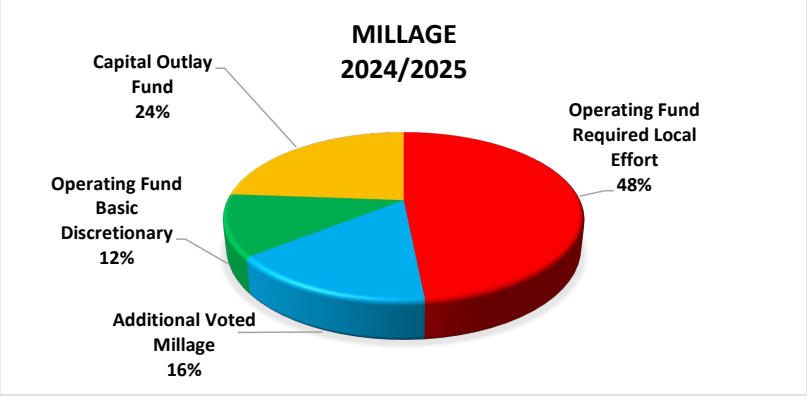
the Discretionary Millage, totaling 0.748 mill. The Discretionary Millage remains at 0.748 mill.

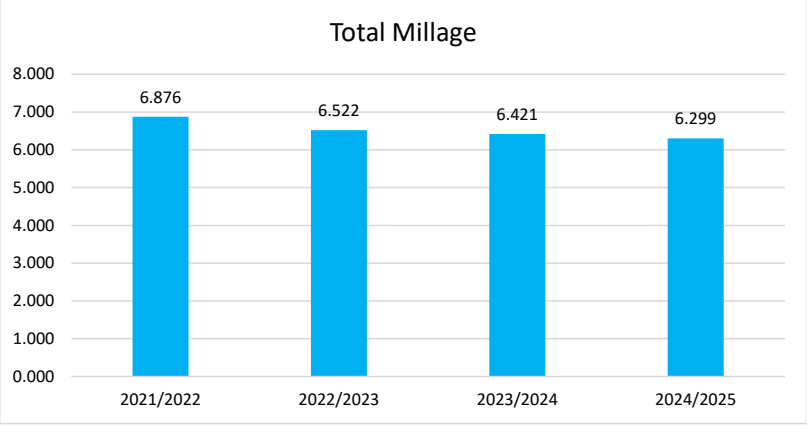
The Capital Improvement Millage is an amount levied to support the construction, maintenance and equipping of schools. The Millage uses and implementation are set by the School Board. Beginning FY 1994-95, this millage was capped at 2.00 mill. For 2008-09, the Legislature capped this millage at 1.750. The difference was used to help offset the increase in the Required Local Effort (RLE) to fund the FEFP formula. For FY 2009-10 the millage was further reduced by 0.25 mills and moved to the Discretionary Millage. The Capital Improvement Millage is now set at 1.500 mill.

School Board of Manatee County
Millage Levy

	2021-2022	2022-2023	2023-2024	2024-2025	2023-2024 vs 2024-2025 Increase / (Decrease)
Operating Fund					
Local Required Effort	3.628	3.274	3.173	3.051	(0.122)
Additional Voted Millage	1.000	1.000	1.000	1.000	0.000
Basic Discretionary	0.748	0.748	0.748	0.748	0.000
Critical Needs Operating	0.000	0.000	0.000	0.000	0.000
Debt Service Fund	0.000	0.000	0.000	0.000	0.000
Capital Outlay Fund	1.500	1.500	1.500	1.500	0.000
Total Millage	6.876	6.522	6.421	6.299	(0.122)

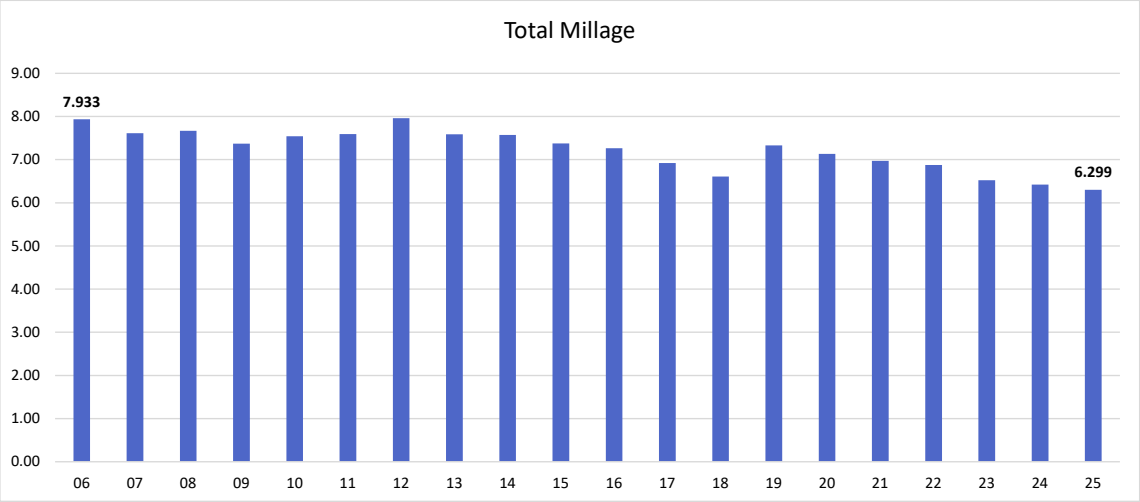
The proposed millage rate for 2024/2025 is 1.9% lower than the millage rate levied last year.
The decrease is attributable to Required Local Effort (RLE) which is mandated by statute.
The School Board must levy the RLE to receive state funding.

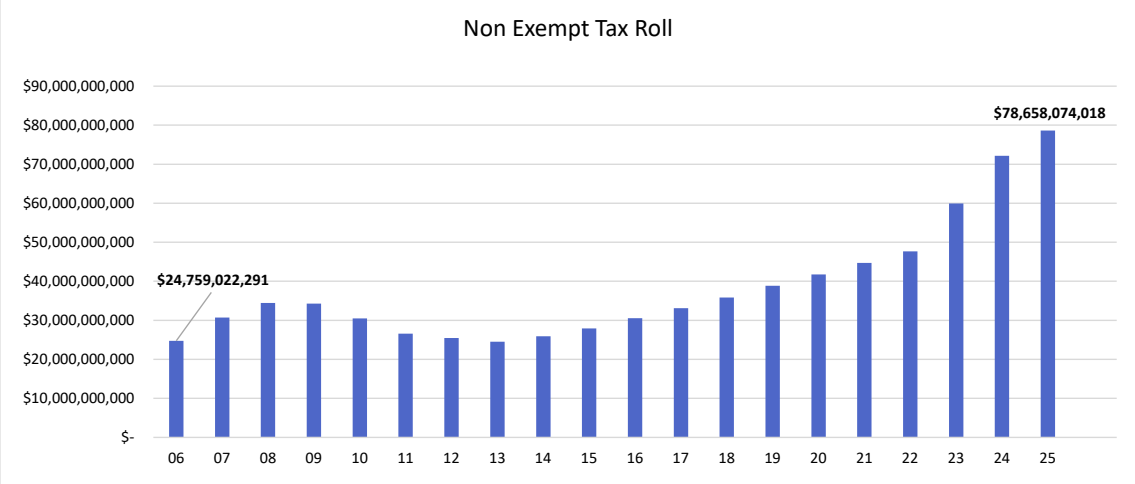




SCHOOL DISTRICT MILLAGE HISTORY
MANATEE COUNTY, FLORIDA
MILLAGE RATES

Fiscal Year	Required Local Effort	Discretionary	Voted	Debt Service	Capital Projects	Total	Non Exempt Tax Roll
2006	5.244	0.689	0	0	2	7.933	$ 24,759,022,291
2007	4.955	0.659	0	0	2	7.614	$ 30,735,678,005
2008	5.028	0.638	0	0	2	7.666	$ 34,453,085,874
2009	4.991	0.631	0	0	1.75	7.372	$ 34,271,840,794
2010	5.293	0.748	0	0	1.5	7.541	$ 30,470,070,375
2011	5.343	0.998	0	0	1.25	7.591	$ 26,599,241,677
2012	5.712	0.748	0	0	1.5	7.96	$ 25,476,256,567
2013	5.341	0.748	0	0	1.5	7.589	$ 24,498,183,527
2014	5.324	0.748	0	0	1.5	7.572	$ 25,892,289,751
2015	5.128	0.748	0	0	1.5	7.376	$ 27,937,345,188
2016	5.019	0.748	0	0	1.5	7.267	$ 30,521,065,411
2017	4.672	0.748	0	0	1.5	6.92	$ 33,138,246,683
2018	4.36	0.748	0	0	1.5	6.608	$ 35,849,173,561
2019	4.083	0.748	1	0	1.5	7.331	$ 38,843,116,995
2020	3.887	0.748	1	0	1.5	7.135	$ 41,780,543,525
2021	3.724	0.748	1	0	1.5	6.972	$ 44,398,287,814
2022	3.628	0.748	1	0	1.5	6.876	$ 47,666,050,988
2023	3.274	0.748	1	0	1.5	6.522	$ 59,935,768,812
2024	3.173	0.748	1	0	1.5	6.421	$ 72,173,995,678
2025	3.051	0.748	1	0	1.5	6.299	$ 78,658,074,018





GENERAL FUND

GENERAL OPERATING FUND

BUDGET OVERVIEW FY 2024-25

The Manatee County School District's General Fund or Operating Fund is the largest fund in the District's budget.

The General Operating Fund is used to pay the salaries and benefits of employees such as classroom teachers, school principals, school secretaries, and school custodians. The funds also are used to buy supplies such as classroom books, library books, classroom supplies, cleaning supplies, and transportation costs. In addition, these monies provide the expenses, such as the schools' utility and communications bills.

The General Fund is supported mainly through the Florida Education Finance Program (FEFP). The funding source for the FEFP comes from two primary sources, state sales tax and local millage. The local millage are the property taxes collected in Manatee County.
The following pages disclose information on this year's general fund budget.

CALCULATION OF THE 2024-2025
FLORIDA EDUCATION FINANCE PROGRAM

In 1973, the Florida Legislature enacted the Florida Education Finance Program (FEFP), which offers as its purpose:

To guarantee to each student in the Florida public educational system the availability of programs and services appropriate to his (or her) educational needs which are substantially equal to those available to any similar student notwithstanding geographical differences and varying local economic factors.

The FEFP provides a formula that substantially determines the amount of money that will be available to the School District of Manatee County within its General Fund for the 2024-2025 fiscal year. The formula considers the varying local non-exempt assessed valuations for property taxing purposes, the costs of varying educational programs, the varying costs of providing education services within the vast geographic area of the state and the costs of education within a given school district. The actual formula and the FEFP calculations can be found at http://www.fldoe.org/finance/fl-edu-finance-program-fefp/fl-edu-finance-program-fefp-calculatio.stml

FLORIDA EDUCATION FINANCE PROGRAM

DEFINITIONS/TERMS

FLORIDA EDUCATION FINANCE PROGRAM (FEFP): The funding formula established by the Legislature in 1973 for funding public schools.

FULL TIME EQUIVALENT STUDENT (FTE): A definition utilized in the state funding formula for identifying the student count for each district for the program offered. Often referred to as unweighted FTE, it is student membership with the programs offered.

PROGRAM COST FACTORS: Program cost factors serve to assure that each program receives its equitable share of funds in relation to its relative cost per student. The cost factors help recognize the varying costs among programs based on a three-year average.

WEIGHTED FTE: This is derived by multiplying the unweighted FTE by the program cost factors.

BASE STUDENT ALLOCATION (BSA): This is set annually by the Legislature. This is the amount a full-time equivalent student (FTE) will generate in a program with a cost factor of 1. For 2024-2025, the BSA is $5,330.98.

COMPARABLE WAGE FACTOR (CWF): This is used to adjust funding to reflect the differing costs of living in the various districts within the state. The CWF is based on the average of each district's three most recent years of the Florida Price Level Index. For Manatee County, this figure for 2024-2025, is 0.9973. The 2024 legislative session allows for school districts below a cost factor of 1 to use a cost factor of 1 when calculating the FEFP base funding.

BASE FUNDING: This is derived by the following formula: (Unweighted FTE x program cost factors x BSA x CWF)

SUPPLEMENTAL FUNDING: Additional funding with the formula allocated for a specific purpose, such as Safe-Schools or Mental Health Allocation.

FEFP Calculation Schedule

2024-2025 FL DOE FEFP Second Calculation

	FTE Students	x	Program Weights	=	Weighted FTE Students	x	Base Student Allocation (BSA)	x	Comparable Wage Factor (CWF)	=
2025 2nd Calc	56,470				61,284		$5,330.98		1.0000	
2024 4th Calc	54,641				59,526		$5,139.73		1.0000	

	Base Funding	+	.748 Mill Discretionary Compression	+	ESE Guaranteed Allocation	+	Department of Juvenile Justice (DJJ)	+	Mental Health Assistance	+
2025 2nd Calc	$326,701,379		0		$22,590,786		$171,644		$3,225,525	
2024 4th Calc	$305,947,722		0		$21,787,105		$174,816		$2,857,352	

	Safe Schools	+	Education Enrichment	+	Student Transportation	+	Proration to Appropriation	=	Gross State and Local Funding	-
2025 2nd Calc	$5,195,218		$13,928,999		$9,174,171		-$402,139		$380,585,583	
2024 4th Calc	$4,464,249		$13,477,364		$8,717,473		$0		$357,426,081	

	Required Local Effort 2024-25 - 3.039 2023-24 - 3.172	+	Prior Year Adjustments	=	Net State FEFP	+	Class Size Reduction	+	State Funded Discretionary Supplement	=
2025 2nd Calc	$229,480,211		$0		$151,105,372		$50,400,319		$9,828,827	
2024 4th Calc	$219,778,478		$1,246,820		$138,894,423		$49,876,529		$6,489,254	

	Total State Funding	+	Required Local Effort (RLE)	=	.748 Discretionary Local Effort	-	Total FEFP Funding Including PY Adj	=	FES 2024-25 UFTE 4,750.75 2023-24 UFTE 3,274.77	=	District FEFP Funding including PY adjustment
2025 2nd Calc	$211,334,518		$229,480,211		$56,482,790		$497,297,519		$42,502,829		$454,794,690
2024 4th Calc	$195,260,206		$219,778,478		$51,826,703		$466,865,387		$30,424,142		$436,441,245

GENERAL FUND

	2022 - 2023 ACTUAL	2023 - 2024 BUDGET as of 5/31/24	2024 - 2025 TENTATIVE BUDGET	2023 - 2024 TO CHANGE	2024 - 2025 PERCENT
REVENUES					
FEDERAL REVENUE					
Reserve Officer Training (JROTC)	$ 732,434	$ 673,800	$ 730,000	$ 56,200	8.34%
Misc. Federal Direct	$ -	$ 26,764	$ 3,584	$ (23,180)	-86.61%
Medicaid	$ 1,370,349	$ 1,033,855	$ 905,000	$ (128,855)	-12.46%
Federal thru Local	$ 333,999	$ 308,756	$ -	$ (308,756)	-100.00%
Other Federal Through State	$ 1,790,970	$ 1,129,955	$ -	$ (1,129,955)	-100.00%
TOTAL FEDERAL REVENUE	**$ 4,227,752**	**$ 3,173,130**	**$ 1,638,584**	**$ (1,534,546)**	**-48.36%**
STATE SOURCES					
FEFP REVENUE					
FEFP State Payment	$ 117,738,050	$ 114,612,342	$ 118,431,370	$ 3,819,028	3.33%
Lottery Allocations, School Recognition	$ 2,619,231	$ 3,745,293	$ -	$ (3,745,293)	-100.00%
TOTAL FEFP REVENUE	**$ 120,357,281**	**$ 118,357,635**	**$ 118,431,370**	**$ 73,735**	**0.06%**
Work Force Development	$ 9,687,398	$ 10,144,293	$ 10,347,179	$ 202,886	2.00%
CO & DS Withheld - Admin Exp	$ 30,104	$ 28,000	$ 31,200	$ 3,200	11.43%
Workforce Education Performance	$ 203,587	$ 700,228	$ 600,000	$ (100,228)	-14.31%
State License Tax	$ 359,595	$ 340,481	$ 360,000	$ 19,519	5.73%
Voluntary Pre-K Program	$ 2,680,941	$ 2,107,575	$ 2,256,570	$ 148,995	7.07%
Class Size Constitutional Amendment	$ 51,028,719	$ 49,876,529	$ 50,400,319	$ 523,790	1.05%
Misc & Other State Revenue	$ 632,809	$ 2,815,317	$ -	$ (2,815,317)	-100.00%
TOTAL STATE REVENUE	**$ 64,623,152**	**$ 66,012,423**	**$ 63,995,268**	**$ (2,017,155)**	**-3.06%**
TOTAL FEFP AND STATE REVENUE	**$ 184,980,433**	**$ 184,370,058**	**$ 182,426,638**	**$ (1,943,420)**	**-1.05%**
LOCAL SOURCES					
District School Tax	$ 290,734,599	$ 271,674,468	$ 286,869,142	$ 15,194,674	5.59%
District Additional School Tax	$ -	$ 69,287,036	$ 75,511,751	$ 6,224,715	8.98%
Lease Revenue	$ 246,855	$ 295,287	$ 170,000	$ (125,287)	-42.43%
Interest on Investments	$ 9,990,127	$ 15,879,925	$ 11,000,000	$ (4,879,925)	-30.73%
Gifts, Grants & Bequests	$ 1,500	$ 3,652	$ -	$ (3,652)	-100.00%
Post Secondary Course Fees	$ 2,915,293	$ 3,266,670	$ 4,200,000	$ 933,330	28.57%
Continuing Workforce Ed Fees	$ 127,334	$ 85,857	$ 114,000	$ 28,143	32.78%
Capital Improvement Fees	$ 135,867	$ 175,132	$ -	$ (175,132)	-100.00%
Other Schools, Class Fees	$ 27,379	$ 32,990	$ 30,000	$ (2,990)	-9.06%
Other Student Fees, Financial Aid	$ 648,433	$ 682,987	$ 170,000	$ (512,987)	-75.11%
School Age Child Care	$ 7,292,842	$ 7,442,570	$ 7,440,500	$ (2,070)	-0.03%
Charges for Services	$ 2,438	$ -	$ -	$ -	n/a
Bus Fees	$ -	$ 94,504	$ 65,000	$ (29,504)	-31.22%
Activity Bus Fees	$ -	$ 30,165	$ 35,000	$ 4,835	16.03%
Sale of Assets	$ 14,257,763	$ 171,404	$ 200,000	$ 28,596	16.68%
Federal Indirect Cost	$ 3,431,818	$ 2,500,000	$ 1,400,000	$ (1,100,000)	-44.00%
Other Local Sources	$ 3,060,282	$ 3,195,544	$ 1,832,182	$ (1,363,361)	-42.66%
Refunds of prior Year Expenses	$ (217,239)	$ 194	$ -	$ (194)	-100.00%
Lost, Damaged, Sold Textbooks	$ 20,915	$ 11,941	$ -	$ (11,941)	-100.00%
Food Service and Other Indirect Costs	$ 1,877,789	$ 1,739,636	$ 1,670,000	$ (69,636)	-4.00%
TOTAL LOCAL REVENUE	**$ 334,553,995**	**$ 376,569,961**	**$ 390,707,576**	**$ 14,137,615**	**3.75%**
TOTAL REVENUES	**$ 523,762,180**	**$ 564,113,149**	**$ 574,772,798**	**$ 10,659,649**	**1.89%**

GENERAL FUND

	2022 - 2023 ACTUAL	2023 - 2024 BUDGET as of 5/31/24	2024 - 2025 TENTATIVE BUDGET	2023 - 2024 TO CHANGE	2024 - 2025 PERCENT
EXPENDITURES, APPROPRIATIONS					
Instructional Services	$ 325,907,810	$ 394,591,172	$ 439,112,878	$ 44,521,706	11.28%
Pupil Personnel Services	$ 15,367,967	$ 24,438,454	$ 29,700,928	$ 5,262,474	21.53%
Instructional Media Services	$ 5,089,535	$ 5,946,461	$ 5,733,580	$ (212,881)	-3.58%
Instr., Curr. Development Services	$ 7,352,744	$ 9,310,499	$ 8,759,823	$ (550,677)	-5.91%
Instructional Staff Training Services	$ 635,835	$ 1,780,484	$ 1,972,510	$ 192,026	10.79%
Instructional Technology	$ (13)	$ 585	$ -	$ (585)	-100.00%
Board of Education	$ 1,186,783	$ 1,427,163	$ 1,575,345	$ 148,182	10.38%
General Administration	$ 2,431,291	$ 3,731,295	$ 4,389,542	$ 658,247	17.64%
School Administration	$ 32,169,007	$ 36,094,307	$ 37,218,513	$ 1,124,206	3.11%
Facilities Acquisition & Construction	$ 6,224,044	$ 7,879,173	$ 7,770,206	$ (108,967)	-1.38%
Fiscal Services	$ 3,196,578	$ 4,000,065	$ 3,766,704	$ (233,360)	-5.83%
Central Services	$ 10,938,993	$ 15,970,510	$ 16,382,668	$ 412,158	2.58%
Pupil Transportation Services	$ 15,950,247	$ 19,179,559	$ 21,029,461	$ 1,849,902	9.65%
Operation of Plant	$ 42,094,511	$ 51,436,425	$ 50,831,947	$ (604,479)	-1.18%
Maintenance of Plant	$ 9,547,562	$ 11,854,757	$ 12,180,711	$ 325,954	2.75%
Administrative Technology Services	$ 7,361,894	$ 8,750,511	$ 8,948,246	$ 197,735	2.26%
Community Services	$ 6,867,699	$ 7,002,703	$ 6,943,603	$ (59,100)	-0.84%
Debt Service	$ 1,325,590	$ 1,778,918	$ 655,377	$ (1,123,541)	-63.16%
TOTAL EXPENDITURES, APPROPRIATIONS	**$ 493,648,077**	**$ 605,173,042**	**$ 656,972,041**	**$ 51,799,000**	**8.56%**
TRANSFERS OUT					
Transfers Out	$ 15,882,389	$ -	$ -	$ -	n/a
TOTAL TRANSFERS OUT	**$ 15,882,389**	**$ -**	**$ -**	**$ -**	**n/a**
TRANSFERS IN					
From Capital Fund	$ 18,198,276	$ 19,740,957	$ 23,501,540	$ 3,760,583	19.05%
From Special Revenue Fund	$ 3,143,648	$ 1,314,596	$ -	$ (1,314,596)	-100.00%
TOTAL TRANSFERS IN	**$ 21,341,924**	**$ 21,055,553**	**$ 23,501,540**	**$ 2,445,986**	**11.62%**
BEGINNING FUND BALANCE					
GASB 84 Adjustment				$ -	n/a
Nonspendable Fund Balance	$ 691,636	$ 643,367	$ 517,798	$ (125,568)	-19.52%
Restricted Fund Balance	$ 6,950,507	$ 14,186,759	$ 17,513,460	$ 3,326,701	23.45%
Assigned Fund Balance	$ 6,482,925	$ 9,530,299	$ 10,698,932	$ 1,168,633	12.26%
Unassigned Fund Balance	$ 36,263,268	$ 61,601,549	$ 73,186,463	$ 11,584,915	18.81%
TOTAL BEGINNING FUND BALANCE	**$ 50,388,336**	**$ 85,961,973**	**$ 101,916,654**	**$ 15,954,680**	**18.56%**
ENDING FUND BALANCE					
Nonspendable Fund Balance	$ 643,367	$ 643,367	$ 517,798	$ (125,569)	-24.25%
Restricted Fund Balance	$ 14,186,759	$ 12,036,000	$ -	$ (12,036,000)	-100.00%
Assigned Fund Balance	$ 9,530,299	$ 9,600,000	$ -	$ (9,600,000)	-100.00%
Unassigned Fund Balance	$ 61,601,549	$ 43,678,267	$ 42,701,152	$ (977,115)	-2.24%
TOTAL ENDING FUND BALANCE	**$ 85,961,973**	**$ 65,957,634**	**$ 43,218,950**	**$ (22,738,684)**	**-34.47%**

CAPITAL FUND

CAPITAL FUND

BUDGET OVERVIEW FY 2024-25

The District Capital Fund major revenue sources include sales tax, impact fees, and local property tax millage of 1.5 mill.

The funds are primarily used to construct, repair, equip and maintain the District's schools and offices. On the following pages is an overview of both revenue and expense of this fund.

CAPITAL PROJECTS FUND

	2022 - 2023 ACTUAL	2023 - 2024 BUDGET as of 5/31/24	2024 - 2025 TENTATIVE BUDGET	2023 - 2024 TO CHANGE	2024 - 2025 PERCENT
ESTIMATED REVENUE					
STATE SOURCES					
CO & DS Distributed	$ 1,567,895	$ 1,567,895	$ 1,567,895	$ -	0.00%
Interest-Undistrib CO & DS	$ 34,386	$ 28,991	$ 28,991	$ 0	0.00%
Public Education Capital Outlay-PECO Construction	$ 109,511	$ 1,770,785	$ 4,661,646	$ 2,890,861	163.25%
Charter School Capital Outlay-PECO	$ 4,485,828	$ 5,231,001	$ 5,330,180	$ 99,179	1.90%
Other Miscellaneous State Revenue	$ 573,744	$ 5,170,571	$ 4,568,078	$ (602,493)	-11.65%
TOTAL STATE REVENUE	**$ 6,771,364**	**$ 13,769,243**	**$ 16,156,790**	**$ 2,387,548**	**17.34%**
LOCAL SOURCES					
District Local Capital Improvement	$ 86,830,455	$ 103,930,554	$ 113,267,626	$ 9,337,072	8.98%
Local Sales Tax	$ 49,701,086	$ 51,689,130	$ 53,756,695	$ 2,067,565	4.00%
Interest	$ 2,536,951	$ 11,252,733	$ 6,382,709	$ (4,870,024)	-43.28%
Other Misc. Local Sources	$ 97,458	$ 817,769	$ 79,875	$ (737,894)	-90.23%
Impact Fees	$ 37,442,455	$ 38,650,906	$ 32,650,000	$ (6,000,906)	-15.53%
TOTAL LOCAL REVENUE	**$ 176,608,405**	**$ 206,341,092**	**$ 206,136,905**	**$ (204,187)**	**-0.10%**
TOTAL ESTIMATED REVENUE	**$ 183,379,769**	**$ 220,110,335**	**$ 222,293,695**	**$ 2,183,360**	**0.99%**
NON-REVENUE SOURCES					
Leased Assets	$ 265,327	$ 3,750,327	$ -	$ (3,750,327)	-100.00%
Certificates of Participation	$ 151,730,000	$ -	$ 140,000,000	$ 140,000,000	n/a
Premium on Certificates of Participation	$ 24,482,011	$ -	$ -	$ -	n/a
TOTAL NON-REVENUE SOURCES	**$ 176,477,339**	**$ 3,750,327**	**$ 140,000,000**	**$ 136,249,673**	**3633.01%**
EXPENDITURES, APPROPRIATIONS					
New Construction	$ 49,937,485	$ 298,364,760	$ 385,937,405	$ 87,572,645	29.35%
Furniture, Fixtures & Equipment	$ 11,922,279	$ 22,518,602	$ 16,434,487	$ (6,084,115)	-27.02%
School Buses	$ 892,792	$ 1,755,093	$ 2,691,705	$ 936,612	53.37%
Motor Vehicles	$ 609,208	$ 1,437,767	$ 232,889	$ (1,204,878)	-83.80%
Land	$ 20,000	$ 249,640	$ 5,000,000	$ 4,750,360	1902.88%
Improvements Other than Bldgs	$ 3,656,062	$ 10,426,279	$ 6,632,289	$ (3,793,990)	-36.39%
Remodeling & Renovation/Other	$ 35,092,327	$ 62,984,848	$ 87,132,996	$ 24,148,148	38.34%
Computer Software	$ 3,456,889	$ 3,776,583	$ 4,191,116	$ 414,533	10.98%
Charter School Capital Outlay	$ 2,866,726	$ 3,379,012	$ 3,864,604	$ 485,592	14.37%
Debt Service:					
Principal & Interest on Leases	$ 1,684,494	$ 2,719,184	$ 1,740,227	$ (978,957)	-36%
TOTAL EXPENDITURES, APPROPRIATIONS	**$ 110,138,262**	**$ 407,611,768**	**$ 513,857,718**	**$ 106,245,950**	**26.07%**
TRANSFERS					
To Debt Service	$ 27,018,150	$ 34,100,932	$ 33,994,051	$ (106,882)	-0.31%
To General Fund	$ 18,198,276	$ 19,853,033	$ 23,501,540	$ 3,648,507	18.38%
From General Fund	$ (882,389)	$ -	$ -	$ -	n/a
TOTAL TRANSFERS	**$ 44,334,037**	**$ 53,953,965**	**$ 57,495,591**	**$ 3,541,625**	**6.56%**
BEGINNING FUND BALANCE	**$ 125,245,984**	**$ 330,630,793**	**$ 327,960,297**	**$ (2,670,496)**	**-0.81%**
ENDING FUND BALANCE	**$ 330,630,793**	**$ 92,925,721**	**$ 118,900,684**	**$ 25,974,962**	**27.95%**

DEBT SERVICE FUND

DEBT SERVICE

BUDGET OVERVIEW FY 2024-25

Debt Service Funds are used to repay long-term debt of the school district. Currently, this debt includes Certificates of Participation, a Qualified School Construction Bond, and a Sales Tax Revenue Bond retired through a transfer of funds from the 1.5 mill Capital Outlay Levy and Sales Surtax.

DEBT SERVICE FUND

	2022 - 2023 ACTUAL	2023 - 2024 BUDGET as of 5/31/24	2024 - 2025 TENTATIVE BUDGET	2023 - 2024 TO CHANGE	2024 - 2025 PERCENT
ESTIMATED REVENUE					
FEDERAL SOURCES					
Misc Federal Direct	$ 953,374	$ 1,005,960	$ 1,005,960	$ -	0.00%
TOTAL FEDERAL SOURCES	**$ 953,374**	**$ 1,005,960**	**$ 1,005,960**	**$ -**	**0.00%**
STATE SOURCES					
CO&DS Withheld for SBOE Bonds	$ 408,910	$ 332,550	$ 339,800	$ 7,250	2.18%
SBE Bond Interest	$ 1,271	$ -	$ -	$ -	-
TOTAL STATE SOURCES	**$ 410,181**	**$ 332,550**	**$ 339,800**	**$ 7,250**	**2.18%**
LOCAL SOURCES					
Interest on Investments	$ 380,375	$ 500,578	$ 275,000	$ (225,578)	-45.06%
TOTAL LOCAL RESOURCES	**$ 380,375**	**$ 500,578**	**$ 275,000**	**$ (225,578)**	**-45.06%**
TOTAL ESTIMATED REVENUE	**$ 1,743,930**	**$ 1,839,088**	**$ 1,620,760**	**$ (218,328)**	**-11.87%**
INCOMING TRANSFERS					
From Capital Projects	$ 27,018,150	$ 34,100,932	$ 33,994,051	$ (106,881)	-0.31%
TOTAL INCOMING TRANSFERS	**$ 27,018,150**	**$ 34,100,932**	**$ 33,994,051**	**$ (106,881)**	**-0.31%**
EXPENDITURES, APPROPRIATIONS					
DEBT SERVICE					
Redemption of Principal	$ 17,441,000	$ 18,635,284	$ 20,034,323	$ 1,399,039	7.51%
Interest	$ 9,181,849	$ 16,803,500	$ 15,289,128	$ (1,514,372)	-9.01%
Dues and Fees	$ 1,197,433	$ 43,333	$ 16,360	$ (26,973)	-62.25%
TOTAL EXPENDITURES, APPROPRIATIONS	**$ 27,820,282**	**$ 35,482,117**	**$ 35,339,811**	**$ (142,306)**	**-0.40%**
BEGINNING FUND BALANCE	**$ 11,889,270**	**$ 12,831,068**	**$ 13,312,441**	**$ 481,373**	**3.75%**
Ending Fund Balance Restricted for Debt Service	**$ 12,831,068**	**$ 13,288,971**	**$ 13,587,441**	**$ 298,470**	**2.25%**

SPECIAL REVENUE – FOOD SERVICE FUND

SPECIAL REVENUE – FOOD SERVICE FUND

BUDGET OVERVIEW FY 2024-25

The District Food and Nutrition Services Department Fund is a self-sustaining fund. Revenue comes from state and federal reimbursement, payments received from students and adults, commodities and district contract and catering. The Department participates in the U.S. Department of Agriculture School Breakfast, National School Lunch, After School Snack, After School Supper, Fresh Fruit Vegetable and Commodity Distribution Programs. The USDA Community Eligibility Program is in place allowing students at twenty-four Title I schools to receive a free breakfast and free lunch. In addition, free breakfast is offered at all district schools. Revenue received is used to pay all expenses attributed to the operation of district Food and Nutrition Service Program.

SPECIAL REVENUE - FOOD SERVICE FUND

	2022 - 2023 ACTUAL	2023 - 2024 BUDGET as of 5/31/24	2024 - 2025 TENTATIVE BUDGET	2023 - 2024 TO CHANGE	2024 - 2025 PERCENT
ESTIMATED REVENUE					
FEDERAL THRU STATE					
Fresh Fruit & Vegetables	$ -	$ -	$ -	$ -	n/a
School Lunch Reimbursement	$ 16,887,905	$ 16,881,503	$ 18,026,000	$ 1,144,497	6.78%
School Breakfast Reimbursement	$ 5,752,879	$ 5,777,885	$ 6,814,900	$ 1,037,015	17.95%
After School Snack Reimbursement	$ 97,422	$ 223,353	$ 135,725	$ (87,628)	-39.23%
Child Care Food Program	$ 1,041,587	$ 1,081,500	$ 1,262,525	$ 181,025	16.74%
USDA Donated Foods	$ 2,757,818	$ 2,213,190	$ 2,213,190	$ -	0.00%
Cash in Lieu of Donated	$ 77,161	$ 75,000	$ 80,000	$ 5,000	6.67%
Summer Food Service Program	$ 376,559	$ -	$ -	$ -	n/a
Miscellaneous Federal Through	$ 2,181,458	$ 1,229,451	$ -	$ (1,229,451)	-100.00%
TOTAL FEDERAL THRU STATE REVENUE	**$ 29,172,787**	**$ 27,481,882**	**$ 28,532,340**	**$ 1,050,458**	**3.82%**
STATE SOURCES					
Breakfast Supplement	$ 145,215	$ 150,000	$ 150,000	$ -	0.00%
Lunch Supplement	$ 164,895	$ 170,000	$ 170,000	$ -	0.00%
TOTAL STATE SOURCES	**$ 310,110**	**$ 320,000**	**$ 320,000**	**$ -**	**0.00%**
LOCAL SOURCES					
Lease Revenue	$ 2,600	$ -	$ -	$ -	n/a
Interest on Investments	$ 654,832	$ 500,000	$ 420,000	$ (80,000)	-16.00%
Student Lunch Sales	$ 3,528,075	$ 3,800,000	$ 4,400,000	$ 600,000	15.79%
Adult Breakfast/Lunch	$ 110,744	$ 175,247	$ 190,000	$ 14,753	8.42%
Student/Adult Ala Carte	$ 1,825,413	$ 2,109,900	$ 2,400,000	$ 290,100	13.75%
Catering/Special	$ 29,212	$ 52,000	$ 46,000	$ (6,000)	-11.54%
Other Food Sales	$ -	$ -	$ -	$ -	n/a
Cash Short and Over	$ (943)	$ -	$ -	$ -	n/a
Other Misc. Local Sources	$ 178,822	$ 130,000	$ 150,000	$ 20,000	15.38%
Refunds of Prior Year Expend	$ 694	$ -	$ -	$ -	n/a
TOTAL LOCAL SOURCES	**$ 6,329,449**	**$ 6,767,147**	**$ 7,606,000**	**$ 838,853**	**12.40%**
TOTAL ESTIMATED REVENUE	**$ 35,812,347**	**$ 34,569,029**	**$ 36,458,340**	**$ 1,889,311**	5.47%
EXPENDITURES, APPROPRIATIONS					
Personnel Cost	$ 11,632,813	$ 12,589,087	$ 13,303,161	$ 714,074	5.67%
Food Cost	$ 16,935,736	$ 17,618,386	$ 19,094,550	$ 1,476,164	8.38%
Operational Cost	$ 4,501,394	$ 4,882,564	$ 4,721,740	$ (160,824)	-3.29%
Capital Outlay	$ 906,405	$ 1,540,215	$ 940,000	$ (600,215)	-38.97%
TOTAL EXPENDITURES, APPROPRIATIONS	**$ 33,976,348**	**$ 36,630,252**	**$ 38,059,451**	**$ 1,429,199**	3.90%
TOTAL BEGINNING BALANCE	**$ 12,771,125**	**$ 14,607,124**	**$ 12,221,019**	**$ (550,106)**	**-4.31%**
ENDING FUND BALANCE	**$ 14,607,124**	**$ 12,545,900**	**$ 10,619,908**	**$ (1,925,992)**	**-15.35%**

SPECIAL REVENUE – OTHER FEDERAL PROGRAMS

SPECIAL REVENUE – OTHER FEDERAL PROGRAMS

BUDGET OVERVIEW FY 2024-25

Other Federal Programs Funds are used to account for and report on activities of various Federal programs according to the specified purposes and requirements of each funding source.

Manatee County School District Federal Programs List

Title I

Part A, BASIC - Improving the Academic Achievement of the Disadvantaged:

The grant provides financial assistance to schools with high numbers or high percentages of children from low-income families to help ensure that all children meet challenging state academic standards.

Part C, Migrant Education Program:

The purpose of this grant is to:

1. Support high-quality and comprehensive educational programs for migratory children to help reduce the educational disruptions and other problems that result from repeated moves;
2. Ensure that migratory children who move among the States are not penalized
   in any manner by disparities among the States in curriculum, graduation requirements, and State academic content and student academic achievement standards;
3. Ensure that migratory children are provided with appropriate educational services (including supportive services) that address their special needs in a coordinated and efficient manner;
4. Ensure that migratory children receive full and appropriate opportunities to

meet the same challenging State academic content and student academic achievement standards that all children are expected to meet;

5. Design programs to help migratory children overcome educational disruption,
   cultural and language barriers, social isolation, various health-related problems, and other factors that inhibit the ability of such children to do well in school, and to prepare such children to make a successful transition to postsecondary education or employment; and
6. Ensure that migratory children benefit from State and local systemic reforms.

Part D, Local Delinquent Program:

The Title I, Part D Grant is designed to provide services for students identified as neglected or delinquent within Manatee County. Services will be provided in an effort to educate, remediate, and track students between educational sites within the district, as well as the state.

Title II *Part A, Teacher and Principal Training:*

The grant is to provide teacher and principal training, especially to meet the federal guidelines established for Highly Qualified teachers.

Title III *Language Instruction for Limited English Proficient and Immigrant Students:*

The purpose of this grant is to ensure that English language learners (ELLs) obtain:

1. English language supplement support for English language
2. Enhanced instruction for new arrival immigrant children

Title IV *Part A, Student Support and Academic Enrichment (SSAE):*

The Title IV, Part A grant is to improve student academic achievement by increasing the capacity of school districts in the following areas:

1. Providing all students with access to a well-rounded education,

2. Improving school conditions for student learning to support safe and healthy students, and
3. Improving the use of technology in order to advance digital literacy of all students.

<u>Part B</u>, 21st Century Community Learning Centers (ESSA):

The Title IV, Part B grant is to provide before and after school programs, particularly for students in low-performing schools, that provide enrichment activities to help children meet the challenging state academic standards.

Title IX *Part A, Education of Homeless Children and Youth Project:*

The McKinney-Vento Education for Homeless Children and Youth Program is designed to address the problems that homeless children and youth have faced in enrolling, attending, and succeeding in school.

CARES Act *The Coronavirus Aid, Relief, and Economic Security (CARES) Act*:

The CARES Act Funds are comprised of three primary emergency relief funds: The Governor's Emergency Education Relief (GEER), the Elementary and Secondary School Emergency Relief (ESSER) and the Higher Education Emergency Relief (HEERF) funds. These funds were designed to address the impact that COVID-19 has had and continues to have on elementary, secondary and postsecondary schools. These grants provided the district with additional funding for COVID-19 related expenses, technology for students that aids in regular and substantive educational interaction between students and their classroom instructors, technology for distant learners, counselors district-wide, postsecondary training for essential workforce skills, and financial aid for postsecondary students.

IDEA *Part B, Individuals with Disabilities Education Improvement Act:*

To provide full educational opportunities to all children with disabilities by funding activities that increase the level, intensity, and quality of services provided to individual children.

Part B, Pre-School Handicapped Act:

To provide full educational opportunities to all children with disabilities, ages 3 to 5, by funding activities that increase the level, intensity, and quality of services provided to individual children.

Perkins V *Strengthening Career & Technical Education for the 21st Century Act:*

The programs provide students with opportunities to develop occupational interests and acquire skills throughout their secondary and postsecondary educational experiences that will lead to gainful employment.

UniSIG *Unified School Improvement Grant, Title I, Part A:*

Funds from the Unified School Improvement Grant (UniSIG) are awarded on a per pupil basis in accordance with section 1003 of Title I of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA). These funds are used to serve students attending Title I schools identified for targeted (i.e., school grade of "D") or comprehensive (i.e., school grade of "F" or two consecutive grades of "D") support and improvement based on the most recent school grades release.

SPECIAL REVENUE - OTHER FEDERAL PROGRAMS

	2022 - 2023 ACTUAL	2023 - 2024 BUDGET as of 5/31/24	2024 - 2025 TENTATIVE BUDGET	2023 - 2024 TO CHANGE	2024 - 2025 PERCENT
REVENUES					
FEDERAL REVENUE					
Other Federal Direct	$ 2,684,621	$ 2,807,829	$ -	$ (2,807,829)	-100.00%
Vocational Education Acts	$ 900,487	$ 947,929	$ -	$ (947,929)	-100.00%
I.D.E.A.	$ 11,470,475	$ 16,737,448	$ 12,850,482	$ (3,886,966)	-23.22%
Elem & Sec Education, Title I	$ 16,247,208	$ 20,542,371	$ 11,499,142	$ (9,043,229)	-44.02%
Teacher, Princ, Train and Recruit Title II	$ 1,882,019	$ 2,433,976	$ -	$ (2,433,976)	-100.00%
Adult General Education	$ 651,102	$ 617,662	$ -	$ (617,662)	-100.00%
Farmworkers	$ 302,937	$ 286,823	$ -	$ (286,823)	-100.00%
Education Stabilization K-12	$ 44,094,646	$ 258,082	$ -	$ (258,082)	-100.00%
Education Stabilization Workforce	$ 1,732,962	$ -	$ -	$ -	n/a
Education Stabilization VPK	$ 25,495	$ -	$ -	$ -	n/a
Other Federal thru State	$ -	$ -	$ -	$ -	n/a
Other Miscellaneous State Revenue	$ 4,856,594	$ 3,191,629	$ -	$ (3,191,629)	-100.00%
TOTAL FEDERAL REVENUE	**$ 84,848,546**	**$ 47,823,749**	**$ 24,349,624**	**$ (23,474,125)**	**-49.08%**
				$ -	n/a
TOTAL ESTIMATED REVENUE	**$ 84,848,546**	**$ 47,823,749**	**$ 24,349,624**	**$ (23,474,125)**	**-49.08%**
EXPENDITURES, APPROPRIATIONS					
Instructional Services	$ 43,131,415	$ 30,033,129	$ 24,349,624	$ (5,683,505)	-18.92%
Pupil Personnel Services	$ 11,460,326	$ (405,979)	$ -	$ 405,979	-100.00%
Instructional Media Services	$ -	$ (6,131)	$ -	$ 6,131	-100.00%
Instr./Curr. Development Services	$ 7,608,657	$ 9,281,211	$ -	$ (9,281,211)	-100.00%
Instruct. Staff Training Services	$ 6,949,838	$ 6,654,293	$ -	$ (6,654,293)	-100.00%
Instruction-Related Technology	$ 74,633	$ 15,225	$ -	$ (15,225)	-100.00%
Board	$ -	$ (77)	$ -	$ 77	-100.00%
General Administration	$ 3,430,528	$ 1,337,678	$ -	$ (1,337,678)	-100.00%
School Administration	$ 63,213	$ (71,795)	$ -	$ 71,795	-100.00%
Facilities Acquisition & Construction	$ -	$ (3,224)	$ -	$ 3,224	-100.00%
Fiscal Services	$ 163,412	$ (182,612)	$ -	$ 182,612	-100.00%
Food Service	$ -	$ (45,111)	$ -	$ 45,111	-100.00%
Central Services	$ 128,721	$ 98,099	$ -	$ (98,099)	-100.00%
Pupil Transportation Services	$ 425,126	$ (739,269)	$ -	$ 739,269	-100.00%
Operation of Plant	$ 362,273	$ 23,510	$ -	$ (23,510)	-100.00%
Maintenance of Plant	$ 14,623	$ (3,963)	$ -	$ 3,963	-100.00%
Admin. Technology Services	$ 784,892	$ (9,049)	$ -	$ 9,049	-100.00%
Community Services	$ 7,240	$ (42,996)	$ -	$ 42,996	-100.00%
TOTAL EXPENDITURES, APPROPRIATIONS	**$ 74,604,898**	**$ 45,932,940**	**$ 24,349,624**	**$ (21,583,316)**	**-46.99%**
TRANSFERS OUT					
To General Fund	$ 3,143,648	$ 1,290,809	$ -	$ (1,290,809)	0.00%
To Internal Service	$ 7,100,000	$ 600,000	$ -	$ (600,000)	0.00%
TOTAL TRANSFERS OUT	**$ 10,243,648**	**$ 1,890,809**	**$ -**	**$ (1,290,809)**	**-**
TOTAL ENDING FUND BALANCE	**$ -**	**$ -**	**$ -**	**$ -**	**n/a**

Note:
The Special Revenue Fund Report does not reflect Current Budget for grants that cross fiscal years.

INTERNAL SERVICE FUND

INTERNAL SERVICE FUND

BUDGET OVERVIEW FY 2024-25

The Internal Service Fund is used to account for Self-Insurance Programs. Currently, this fund contains the Medical Insurance Program as well as the Worker's Compensation Program. The Medical Program includes employee health insurance. This program is sustained by employee, retiree and employer contributions. The Worker's Compensation Program is sustained by employer contributions and provides funding for the Worker's Compensation expenses.

INTERNAL SERVICE FUND - HEALTH INSURANCE

	2022 - 2023 ACTUAL	2023 - 2024 BUDGET as of 5/31/24	2024 - 2025 TENTATIVE BUDGET	2023 - 2024 TO CHANGE	2024 - 2025 PERCENT
REVENUES					
LOCAL SOURCES					
Gifts, Grants & Bequests	$ -	$ -	$ -	$ -	n/a
Premium Income	$ 46,155,806	$ 54,642,000	$ 59,404,925	$ 4,762,925	8.72%
Misc. Local Sources	$ -	$ -	$ -	$ -	n/a
TOTAL LOCAL REVENUE	$ 46,155,806	$ 54,642,000	$ 59,404,925	$ 4,762,925	**8.72%**
TOTAL ESTIMATED REVENUE	**$ 46,155,806**	**$ 54,642,000**	**$ 59,404,925**	**$ 4,762,925**	**8.72%**
EXPENDITURES, APPROPRIATIONS					
Plan Administration	$ 3,920,470	$ 4,114,234	$ 4,171,027	$ 56,793	1.38%
Claims Expenses	$ 59,909,554	$ 55,007,000	$ 57,577,000	$ 2,570,000	4.67%
TOTAL EXPENDITURES, APPROPRIATIONS	**$ 63,830,024**	**$ 59,121,234**	**$ 61,748,028**	**$ 2,626,794**	**4.44%**
TRANSFERS IN					
From General Fund	$ 15,000,000	$ -	$ -	$ -	n/a
From Special Revenue	$ 7,100,000	$ 600,000	$ -	$ -	0.00%
	$ 22,100,000	**$ 600,000**	**$ -**	**$ -**	**0.00%**
BEGINNING FUND BALANCE	**$ 8,444,558**	**$ 12,870,340**	**$ 10,602,963**	**$ (2,267,377)**	**-17.62%**
ENDING FUND BALANCE	**$ 12,870,340**	**$ 8,991,106**	**$ 8,259,860**	**$ (731,246)**	**-8.13%**

INTERNAL SERVICE FUND - WORKERS COMPENSATION

	2022 - 2023 ACTUAL	2023 - 2024 BUDGET as of 5/31/24	2024 - 2025 TENTATIVE BUDGET	2023 - 2024 TO CHANGE	2024 - 2025 PERCENT
REVENUES					
LOCAL SOURCES					
Premium Income	3,036,424	3,667,862	4,600,000	932,138	25.41%
TOTAL LOCAL REVENUE	**3,036,424**	**3,667,862**	**4,600,000**	**932,138**	**25.41%**
TOTAL ESTIMATED REVENUE	**3,036,424**	**3,667,862**	**4,600,000**	**932,138**	**25.41%**
EXPENDITURES, APPROPRIATIONS					
Plan Administration	536,843	646,786	606,931	(39,855)	-6.16%
Claims Expenses	3,200,717	3,098,014	3,500,000	401,986	112.98%
TOTAL EXPENDITURES, APPROPRIATIONS	**3,737,561**	**3,744,800**	**4,106,931**	**362,131**	**9.67%**
TOTAL BEGINNING FUND BALANCE	**2,266,182**	**1,565,045**	**1,698,338**	**362,131**	**23.14%**
ENDING FUND BALANCE	**1,565,045**	**1,488,107**	**2,191,408**	**703,301**	**47.26%**

TRUST AND AGENCY FUND

TRUST AND AGENCY FUND

BUDGET OVERVIEW FY 2024-25

The Trust and Agency Funds are private-purpose funds used to report resources held by the District in a trustee or custodial capacity for others that, therefore, cannot be used to support the District's own programs. Included in these funds are Donation and MTC Scholarship Funds.

TRUST AND AGENCY FUND

	2022 - 2023 ACTUAL	2023 - 2024 BUDGET as of 5/31/24	2024 - 2025 TENTATIVE BUDGET	2022 - 2023 TO CHANGE	2023 - 2024 PERCENT
REVENUES					
ESTIMATED REVENUE					
Miscellaneus Federal Direct	$ 217,823	$ 215,000	$ 229,161	$ 14,161	6.59%
Gift, Grants and Benefits	$ 42,884	$ 22,087	$ -	$ (22,087)	-100.00%
Financial Aid Fees-FEFP Course	$ 272,734	$ 227,952	$ 260,000	$ 32,048	14.06%
Other Misc Local Sources	$ 293,653	$ 309,029	$ 320,124	$ 11,095	3.59%
TOTAL ESTIMATED REVENUE	**$ 827,094**	**$ 774,067**	**$ 809,285**	**$ 35,217**	**4.55%**
EXPENDITURES, APPROPRIATIONS					
Instructional Services	$ 598,997	$ 1,831,575	$ 2,005,374	$ 173,799	9.49%
Pupil Personnel Services	$ 41,715	$ 12,773	$ 1,580	$ (11,193)	-87.63%
Instruction and Curriculum Development	$ 1,024	$ 24,346	$ 25,428	$ 1,082	4.44%
Instructional Staff Training Services	$ -	$ -	$ -	$ -	n/a
General Administration	$ 2,502	$ 13,656	$ 13,839	$ 183	1.90%
Central Services	$ 6,352	$ 9,627	$ 6,374	$ (3,253)	n/a
Operation of Plant	$ -	$ 250	$ 270	$ 20	n/a
Community Services	$ -	$ 3,500	$ 3,500	$ -	0.00%
TOTAL EXPENDITURES, APPROPRIATIONS	**$ 650,590**	**$ 1,895,727**	**$ 2,056,365**	**$ 160,638**	**8.47%**
BEGINNING FUND BALANCE	**$ 945,156**	**$ 1,121,660**	**$ 1,247,081**	**$ 125,421**	**11.18%**
ENDING FUND BALANCE	**$ 1,121,660**	**$ -**	**$ -**	**$ -**	**n/a**

TRIM ADVERTISEMENT

BUDGET SUMMARY

THE PROPOSED OPERATING BUDGET EXPENDITURES OF THE SCHOOL BOARD OF MANATEE COUNTY, FLORIDA ARE 8.6 PERCENT MORE THAN LAST YEAR'S TOTAL OPERATING EXPENDITURES

FISCAL YEAR 2024-2025

PROPOSED MILLAGE LEVIES (SUBJECT TO 10-MILL CAP):

Required Local Effort (including Prior Period	3.0510	Discretionary Operating	0.7480	**NOT SUBJECT TO 10-MILL CAP**	
Funding Adjustment Millage)				Operating or Capital Not to	0.0000
Local Capital Improvement (Capital Outlay)	1.5000	Additional Millage Not to Exceed 4 years	1.0000	Exceed 2 Years	
Discretionary Capital Improvement	0.0000	(Operating)		Debt Service	0.0000
				Total Millage	**6.2990**

ESTIMATED REVENUES:	GENERAL FUND	SPECIAL REVENUE	DEBT SERVICE	CAPITAL PROJECTS	INTERNAL SERVICE FUNDS	TRUST AND AGENCY FUND	TOTAL ALL FUNDS
Federal sources	1,638,584	52,881,964	1,005,960	-	-	229,161	**55,755,669**
State sources	182,426,638	320,000	339,800	16,156,790	-	-	**199,243,228**
Local sources	390,707,576	7,606,000	275,000	206,136,905	64,004,925	580,124	**669,310,529**
TOTAL SOURCES	**574,772,798**	**60,807,964**	**1,620,760**	**222,293,695**	**64,004,925**	**809,284**	**924,309,426**
Transfers In	23,501,540	-	33,994,051	-	-	-	**57,495,591**
Nonrevenue Sources	-	-	-	140,000,000	-	-	**140,000,000**
Fund Balances/Net Position	101,916,654	12,221,019	13,312,441	327,960,297	12,301,301	1,247,081	**468,958,793**
TOTAL REVENUES, TRANSFERS AND FUND BALANCES/NET POSITION	**700,190,991**	**73,028,983**	**48,927,252**	**690,253,992**	**76,306,226**	**2,056,365**	**1,590,763,809**
APPROPRIATIONS/EXPENDITURES							
Instruction	439,112,878	24,349,624	-	-	-	2,005,374	**465,467,875**
Pupil Personnel Services	29,700,928	-	-	-	-	1,580	**29,702,508**
Instructional Media Services	5,733,580	-	-	-	-	-	**5,733,580**
Instructional and Curriculum Development Services	8,759,823	-	-	-	-	25,428	**8,785,251**
Instructional Staff Training Services	1,972,510	-	-	-	-	-	**1,972,510**
Instructional Technology	-	-	-	-	-	-	**-**
Board of Education	1,575,345	-	-	-	-	-	**1,575,345**
General Administration	4,389,542	-	-	-	-	13,839	**4,403,381**
School Administration	37,218,513	-	-	-	-	-	**37,218,513**
Facilities Acquisition and Construction	7,770,206	-	-	513,857,718	-	-	**521,627,924**
Fiscal Services	3,766,704	-	-	-	-	-	**3,766,704**
Food Services		38,059,451	-	-	-	-	**38,059,451**
Central Services	16,382,668	-	-	-	65,854,958	6,374	**82,244,000**
Pupil Transportation Services	21,029,461	-	-	-	-	-	**21,029,461**
Operation of Plant	50,831,947	-	-	-	-	270	**50,832,217**
Maintenance of Plant	12,180,711	-	-	-	-	-	**12,180,711**
Administrative Technology Services	8,948,246	-	-	-	-	-	**8,948,246**
Community Services	6,943,603	-	-	-	-	3,500	**6,947,103**
Debt Services	655,377	-	35,339,811	-	-	-	**35,995,188**
TOTAL APPROPRIATIONS/EXPENDITURES	**656,972,041**	**62,409,075**	**35,339,811**	**513,857,718**	**65,854,958**	**2,056,365**	**1,336,489,968**
Transfers Out	-	-	-	57,495,591	-	-	**57,495,591**
Fund Balances/Net Position	43,218,950	10,619,908	13,587,441	118,900,684	10,451,268	-	**196,778,251**
TOTAL APPROPRIATED EXPENDITURES TRANSFERS, RESERVES & BALANCES	**700,190,991**	**73,028,983**	**48,927,252**	**690,253,992**	**76,306,226**	**2,056,365**	**1,590,763,809**

The tentative, adopted, and/or final budgets are on file in the office of the above mentioned taxing authority as a public record.

NOTICE OF PROPOSED TAX INCREASE

The School District of Manatee County, Florida, will soon consider a measure to increase its property tax levy.

Last year's property tax levy

A. Initially proposed tax levy	$ 463,429,226
B. Less tax reductions due to Value Adjustment Board and other assessment changes	$ 1,984,816
C. Actual property tax levy	$ 461,444,410
This year's proposed tax levy	**$ 495,467,208**

A portion of the tax levy is required under state law in order for the school board to receive **$211,334,518** in state education grants. The required portion has **increased** by **0.73** percent and represents approximately **five-tenths** of the total proposed taxes.

The remainder of the taxes is proposed solely at the discretion of the school board.

All concerned citizens are invited to a public hearing on the tax increase to be held on **July 30, 2024 at 5:05 p.m. in the Board Room of the School Administration Building located at 215 Manatee Avenue West, Bradenton, FL.**

A DECISION on the proposed tax increase and the budget will be made at this hearing.

NOTICE OF TAX FOR SCHOOL CAPITAL OUTLAY

The School District of Manatee County, Florida, will soon consider a measure to continue to impose a 1.5 mill property tax for the capital outlay projects listed herein.

This tax is in addition to the school board's proposed tax of 4.799 mills for operating expenses and is proposed solely at the discretion of the school board.

****THE PROPOSED COMBINED SCHOOL BOARD TAX INCREASE FOR BOTH OPERATING EXPENSES AND CAPITAL OUTLAY IS SHOWN IN THE ADJACENT NOTICE.**

The capital outlay tax will generate approximately $113,267,627 to be used for the following projects:

CONSTRUCTION AND REMODELING

High School Field Upgrades
Palmetto High School Renovations
School Support Center Renovations
Site Acquisition and Site Improvements
Southeast High School Science Building Construction
Transportation School Bus Hubs
ADA Compliance – All Schools
Construction and Remodeling – County Wide
Facilities Project Management

MAINTENANCE, RENOVATION, AND REPAIR

Reimbursement of maintenance, renovation, and repairs paid through the General Fund as permitted by Florida Statute:

Classroom Remodeling/Renovations
Computer Networking Schools/Ancillary Facilities
Electrical and Plumbing Fixtures
Fencing
Floors
HVAC Systems /EMS Upgrades
Intercom System
Interior Finishes
Interior/Exterior Painting
Landscaping/Site work/Drainage/Irrigation Systems
Maintenance County Wide
Outdoor Lighting
Parking Lot and Walkways
Playground Equipment/Outdoor Athletic Facilities
Repair Existing Equipment
Replace Carpet/Floor Tile
Roofing or Roof Replacement
Routine Maintenance of Facilities
Safety (SREF) Requirements
Security Systems Replacement
Set-up/Breakdown/Relocation of Portable
Sound System Replacement
Support Services Renovations
System Equipment (Current Code)
Windows/Doors

MOTOR VEHICLE PURCHASES

Purchase of ten (10) school buses and or purchase/lease purchase of additional thirty (30) school buses
Purchase, lease-purchase, or lease of motor vehicles used for the maintenance or operation of plants and equipment; Security vehicles; and vehicles used in storing or distributing materials and equipment

NEW AND REPLACEMENT EQUIPMENT, COMPUTER AND DEVICE HARDWARE AND OPERATING SYSTEM SOFTWARE NECESSARY FOR GAINING ACCESS TO OR ENHANCING THE USE OF ELECTRONIC AND DIGITAL INSTRUCTIONAL CONTENT AND RESOURCES, AND ENTERPRISE RESOURCE SOFTWARE

Furniture and Equipment
Lease-Purchase of Computer Hardware
Lease-Purchase of Printers/Copiers/Metal Detectors
New Library Books
New Band Uniforms
Enterprise Technology and Software, acquired via license/maintenance fees or lease agreements

PAYMENTS FOR EDUCATIONAL FACILITIES AND SITES DUE UNDER A LEASE-PURCHASE AGREEMENT

Debt service payments on Certificates of Participation

PAYMENTS FOR RENTING AND LEASING EDUCATIONAL FACILITIES AND SITES

Lease of Portable Classrooms, Lease of Site(s) for District personnel

PAYMENTS OF LOANS APPROVED PURSUANT TO SS 1011.14 AND 1011.15. F.S.

Section 1011 Loans

PAYMENT OF COSTS OF COMPLIANCE WITH ENVIRONMENTAL STATUTES, RULES AND REGULATIONS

Removal of Hazardous Waste
Wetlands Monitoring & Improvements
Environmental/Remediation

PAYMENT OF PREMIUMS FOR PROPERTY AND CASUALTY INSURANCE NECESSARY TO INSURE THE EDUCATIONAL AND ANCILLARY PLANTS OF THE SCHOOL DISTRICT

Insurance Premiums on District facilities

PAYMENT OF SALARIES AND BENEFITS

Salaries and benefits for school bus drivers, and other employees whose job duties support activities funded by the above categories.

CHARTER SCHOOL CAPITAL OUTLAY PROJECTS PURSUANT TO S. 1013.62(4), F.S.

PURCHASE OF REAL PROPERTY
CONSTRUCTION OF SCHOOL FACILITIES
PURCHASE OR LEASE OF PERMANENT OR RELOCATABLE SCHOOL FACILITIES
PURCHASE OF VEHICLES TO TRANSPORT STUDENTS
RENOVATION, REPAIR, AND MAINTENANCE OF SCHOOL FACILITIES
PAYMENT OF THE COST OF PREMIUMS FOR PROPERTY AND CASUALTY INSURANCE NECESSARY TO INSURE SCHOOL FACILITIES
PURCHASE OR LEASE OF DRIVER'S EDUCATION VEHICLES, MAINTENANCE VEHICLES, SECURITY VEHICLES, OR VEHICLES USED IN STORING OR DISTRIBUTING MATERIALS AND EQUIPMENT
COMPUTER AND DEVICE HARDWARE AND OPERATING SYSTEM SOFTWARE NECESSARY FOR GAINING ACCESS TO OR ENHANCING THE USE OF ELECTRONIC AND DIGITAL INSTRUCTIONAL CONTENT AND RESOURCES, AND ENTERPRISE RESOURCE SOFTWARE
PAYMENT OF COSTS OF OPENING DAY COLLECTION FOR LIBRARY MEDIA CENTER

All concerned citizens are invited to a public hearing to be held on July 30, 2024 at 5:05 p.m., in the Board Room of the School Administration Building located at 215 Manatee Avenue West, Bradenton, FL. A DECISION on the proposed CAPITAL OUTLAY TAXES will be made at this hearing.

AGENDA ITEM NO. 4.b

School Board of Manatee County
July 30, 2024 - Special Meeting and Public Hearing
Action Item

Title
Approval of Adopting the 2024-2025 Tentative Millage Rate of 6.299

Executive Summary
As part of the annual budget process, the School Board adopts the tentative millage rate and holds a Public Hearing for consideration of adopting the tentative budget. Resolution 2024-006 is attached for review.

This item aligns with the District's Strategic Plan Goal(s) which state(s):

Ready To Grow | Goal 5
Continue our secure financial position, utilize referendum millage funds effectively, and modernize and enhance our current schools to meet our school community needs, including building vibrant, new schools

Recommendation
The Superintendent recommends approval of adopting the 2024-2025 tentative millage rate to be determined of 6.3870.

Financial Impact
No Financial Impact

Contact
Submitting Department: Business Services
Initiated By: Rachel Sellers

Attachments:
2024-006 Resolution Adopting Tentative Millage Rates 2024-25

Resolution Adopting Tentative Millage Rates
Resolution Number 2024-006

WHEREAS, the School Board of Manatee County, Florida, did, pursuant to Chapters 200 and 1011, Florida Statutes, approve tentative millage rates for the fiscal year July 1, 2024 to June 30, 2025; and

WHEREAS, at the public hearing and in full compliance with Chapter 200, Florida Statutes, the Manatee County School Board adopted the tentative millage rates for fiscal year 2024-2025 in the amounts of:

	Tentative Millage Levy	Proposed Amount To Be Raised
Required Local Effort including Prior Period Funding Adjustment	3.051	$230,386,352
Capital Outlay	1.5000	113,267,627
Discretionary Operating	0.7480	56,482,790
Discretionary Capital	0.000	-0-
Additional Voted Millage	1.0000	75,511,751
Debt	0.000	-0-
TOTAL Tentative Millage	6.2990	$475,648,520

The total millage rate to be levied exceeds the roll-back rate by 2.77%

NOW THEREFORE, BE IT RESOLVED:

That the Manatee County School Board, adopted each tentative millage rate for the fiscal year July 1, 2024 to June 30, 2025, on July 30, 2024 by separate vote prior to adopting the tentative budget.

_____
Chad Choate III, Chair

AGENDA ITEM NO. 4.c

School Board of Manatee County
July 30, 2024 - Special Meeting and Public Hearing
Action Item

Title
Approval of Adopting the 2024-2025 Tentative Budget, in the Amount of $1,590,763,809.00

Executive Summary
The tentative budget is presented in Public Hearing to the Board annually once the property appraiser certifies the taxable value within the jurisdiction of the school district. Manatee County's tax appraiser has certified the taxable value, which allows the district to move forward with the budget process. Resolution 2024-007 is attached for review.

This item aligns with the District's Strategic Plan Goal(s) which state(s):

Ready To Grow | Goal 5
Continue our secure financial position, utilize referendum millage funds effectively, and modernize and enhance our current schools to meet our school community needs, including building vibrant, new schools

Recommendation
The Superintendent recommends approval of adopting the 2024-2025 tentative budget, in the amount to be determined of $1,590,763,809.00.

Financial Impact
None

Contact
Submitting Department: Business Services Initiated
By: Rachel Sellers

Attachments:
2024-007 Resolution Adopting Tentative Budget 2024-25

Resolution Adopting Tentative Budget
Resolution Number 2024-007

A RESOLUTION OF THE MANATEE COUNTY SCHOOL BOARD ADOPTING THE TENTATIVE BUDGET FOR FISCAL YEAR 2024-2025.

WHEREAS, the School Board of Manatee County, Florida, did, pursuant to Chapters 200 and 1011, Florida Statutes, approve tentative millage rates and tentative budget for the fiscal year July 1, 2024 to June 30, 2025; and

WHEREAS, the Manatee County School Board set forth the appropriations and revenue estimate for the Budget for fiscal year 2024-2025.

WHEREAS, at the public hearing and in full compliance with Chapter 200, Florida Statutes, the Manatee County School Board adopted the tentative millage rates and the budget in the amount of $1,590,763,809 for fiscal year 2024-2025.

NOW THEREFORE, BE IT RESOLVED:

That the attached budget of Manatee County School Board, including the millage rates as set forth therein, is hereby adopted by the School Board of Manatee County as a tentative budget for the categories indicated for the fiscal year July 1, 2024 to June 30, 2025.

_____

Chad Choate III, Chair

AGENDA ITEM NO. 4.d

School Board of Manatee County
July 30, 2024 - Special Meeting and Public Hearing

Title
Public Hearing for Consideration to Adopt and Amend School Board Policies

Executive Summary
The purpose of the requested amendment is to update the following School Board policies to conform to current legislation and statutes.

*Please note that current Policies 1217, 3217, 4217 will not be rescinded, current Policy 5772 will not be revised, and New Policy 7217 will not be considered.

Policies 1210, 3210, 4210
Policies 1242, 3242, 4242
Policies 1362, 3362, 4362
Policy 2120
Policy 2210
Policy 2271
Policy 5517.01
Policy 7540
Policy 7540.04
Policy 8305
Policy 8330
Policy 8405
Policy 8600
Policy 8600.04
Policy 8651

Contact
Submitting Department: Administration
Initiated By: Kevin Chapman

Attachments:
Policies July 30 Part 1
Policies July 30 Part 2
Policies July 30 Part 3
Policies July 30 Part 4

Approval of Advertising a Notice of Intent to Amend School Board Policies and Setting a Public Hearing at the Board Meeting on July 30, 2024

Policy 1210, 3210, 4210 – Standards of Ethical Conduct – (Revised)
The revisions to these policies are based on F.A.C. Rule 6A-10.081 (Principles of Professional Conduct for the Education Profession in Florida). The rule expands the list of obligations to the student to include prohibitions related to classroom instruction on sexual orientation or gender identity, discouraging parental notification and involvement, violating F.S. 553.865 as it relates to entering restrooms and changing facilities designated for the opposite sex, and violating F.S. 1000.071.

Policy 2120 – School Improvement (Revised)
Policy 2120 includes reference to ne F.A.C. Rule 6A-6.0533 (Determining a Substantial Math Deficiency). The new rule lists the criteria for a substantial deficiency in math for grades K-4

Policy 7540 – Technology (Revised)
SDMC updated this policy

Policy 7540.04 – Staff Technology Acceptable Use and Safety (Revised)
SDMC updated this policy

Policy 8305 – Information Security (Revised)
The revisions to Policy 8305 incorporate language from new F.A.C. Rule 6A-1.09550.

Policy 8405 – School Safety and Security (Revised)
The revisions to this policy are based on the requirements set forth in new F.A.C. Rule 6A-1.0019 (Threat Management). The revisions include referencing new terminology (i.e. "Florida Model Instrument") and adding new reporting requirements.

1210 - **STANDARDS OF ETHICAL CONDUCT**

For purposes of this policy, the term administrator means all certificated and noncertificated administrators.

Administrators shall be guided by and adhere to the following ethical principles:

A. The administrator values the worth and dignity of every person, the pursuit of truth, devotion to excellence, acquisition of knowledge, and the nurture of democratic citizenship. Essential to the achievement of these standards are the freedom to learn and to teach and the guarantee of equal opportunity for all.

B. The administrator's primary professional concern will always be for the student and for the development of the student's potential. The administrator will, therefore, strive for professional growth and will seek to exercise the best professional judgment and integrity.

C. The administrator strives to achieve and sustain the highest degree of ethical conduct because s/he is aware of the importance of maintaining the respect and confidence of one's colleagues, of students, of parents, and of other members of the community.

District administrators shall comply with the following disciplinary principles. Violation of any of these principles shall subject the individual to revocation or suspension of the individual administrator's certificate, or the other penalties as provided by law, as well as disciplinary action, including but not limited to termination of employment.

A. An administrator's obligation to the District requires that the District administrator shall:

1. make a reasonable effort to protect the student from conditions harmful to learning and/or to the student's mental and/or physical health and/or safety;

2. not unreasonably restrain a student from independent action in pursuit of learning;

3. not unreasonably deny a student access to diverse points of view;

4. not intentionally suppress or distort subject matter relevant to a student's academic program;

5. not intentionally provide classroom instruction to students in ~~kindergarten~~prekindergarten through grade ~~3~~8 on sexual orientation or gender identity, except when required by F.S. 1003.42(2)(n)3. and 1003.46;

6. not intentionally provide classroom instruction to students in grades 9 through 12 on sexual orientation or gender identity unless such instruction is required by State academic standards as adopted in F.A.C. 6A-1.09401, as is part of a reproductive health course or health lesson for which a student's parent has the option to have their student not attend;

7. not intentionally violate or deny a student's legal rights;

8. not discourage or prohibit parental notification of and involvement in critical decisions affecting a student's mental, emotional, or physical health or well-being unless the individual reasonably believes that disclosure would result in abuse, abandonment, or neglect as defined in F.S. 39.01;

9. not harass or discriminate against any student on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition, sexual orientation, or social and family background and shall make reasonable efforts to assure that each student is protected from harassment or discrimination; discrimination on the basis of race, color, national origin, or sex includes subjecting any students to training or instruction that espouses, promotes, advances, inculcates, or compels such student to believes any of the concept listed in F.S. 1000.05(4)(a);

10. not exploit a relationship with a student for personal gain or advantage;

11. keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law;

12. take reasonable precautions to distinguish between personal views and those of any educational institution or organization with which the individual is affiliated;

13. not violate F.S. 553.865(9)(b), which relates to entering restrooms and changing facilities designated for the opposite sex on the premises of an educational institution; and,

14. not violate F.S. 1000.071, which relates to the use of personal titles and pronouns in educational institutions.

15. not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression;

16. not use institutional privileges for personal gain or advantage; (see also Policy 1129, Conflict of Interest)

17. accept no gratuity, gift, or favor that might influence professional judgment; (see also Policy 1129, Conflict of Interest)

18. offer no gratuity, gift, or favor to obtain special advantages; (see also Policy 1129, Conflict of Interest)

19. maintain honesty in all professional dealings;

20. not on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition if otherwise qualified, or social and family background deny to a colleague professional benefits or advantages or participation in any professional organization;

21. not interfere with a colleague's exercise of political or civil rights and responsibilities;

22. not engage in harassment or discriminatory conduct which unreasonably interferes with an individual's performance of professional or work responsibilities or with the orderly processes of education or which creates a hostile, intimidating, abusive, offensive, or oppressive environment; and, further, shall make reasonable efforts to assure that each individual is protected from such harassment or discrimination;

23. not make malicious or intentionally false statements about a colleague;

24. not use coercive means or promise special treatment to influence professional judgments of colleagues;

25. not misrepresent one's own professional qualifications;

26. not submit fraudulent information on any document in connection with professional activities;

27. not make any fraudulent statement or fail to disclose a material fact in one's own or another's application for a professional position;

28. not withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment;

29. provide upon the request of a certificated individual a written statement of the specific reason for recommendations that lead to the denial of increments, significant changes in employment, or termination of employment;

30. not assist entry into or continuance in the profession of any person known to be unqualified in accordance with these *Principles of Professional Conduct for the Education Profession in Florida* and other applicable Florida statutes and State Board of Education rules;

31. self-report within forty-eight (48) hours to appropriate authorities (as determined by the District) any investigations involving the Department of Children and Families and any arrests/charges a criminal offense other than a minor traffic violation;

    Such notice shall not be considered an admission of guilt nor shall such notice be admissible

for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory.

In addition, administrators shall self-report any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea of guilty or Nolo Contendere for any criminal offense other than a minor traffic violation within forty-eight (48) hours after the final judgment. When handling sealed and expunged records disclosed under this rule, school districts shall comply with the confidentiality provisions of F.S. 943.0585(4)(c) and F.S. 943.059(4)(c).

32. report to appropriate authorities any known allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795(1);

33. seek no reprisal against any individual who has reported any allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795(1);

34. comply with the conditions of an order of the Education Practices Commission imposing probation, imposing a fine, or restricting the authorized scope of practice;

35. as the supervising administrator, cooperate with the Education Practices Commission in monitoring the probation of a subordinate.

B. No administrative staff member shall have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature that is in substantial conflict with the proper discharge of his/her duties in the public interest. (see also Policy 1129, Conflict of Interest)

C. All District administrative staff members shall adhere to the principles enumerated above.

All administrators shall be required to complete training on the standards established herein upon employment and annually thereafter.

Revised 2/13/18
Revised 12/11/18
Revised 9/28/21
Revised 5/9/23

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Legal

F.S. 112.312

F.S. 112.313

F.S. 1001.42(6)

F.S. 1001.421

F.S. 1006.32

F.S. 1012.23

F.A.C. 6A-10.081

Last Modified by Frankie St James on December 7, 2023

Book	Policy Manual
Section	Special Update Sept 2023 REVISED
Title	Copy of STANDARDS OF ETHICAL CONDUCT
Code	po3210 12/7/23
Status	
Adopted	June 27, 2017
Last Revised	May 9, 2023

3210 - **STANDARDS OF ETHICAL CONDUCT**

Instructional staff members shall be guided by and adhere to the following ethical principles:

A. The instructional staff member values the worth and dignity of every person, the pursuit of truth, devotion to excellence, acquisition of knowledge, and the nurture of democratic citizenship. Essential to the achievement of these standards are the freedom to learn and to teach and the guarantee of equal opportunity for all.

B. The instructional staff member's primary professional concern will always be for the student and for the development of the student's potential. The instructional staff member will therefore strive for professional growth and will seek to exercise the best professional judgment and integrity.

C. The instructional staff member strives to achieve and sustain the highest degree of ethical conduct because s/he is aware of the importance of maintaining the respect and confidence of one's colleagues, of students, of parents, and of other members of the community.

District instructional staff shall comply with the following disciplinary principles. Violation of any of these principles shall subject the individual to revocation or suspension of the individual's teaching certificate, or the other penalties as provide by law, as well as disciplinary action, including but not limited to termination of employment.

A. Obligation to the student requires that the District instructional staff member:

1. make a reasonable effort to protect the student from conditions harmful to learning and/or to the student's mental and/or physical health and/or safety.

2. not unreasonably restrain a student from independent action in pursuit of learning.

3. not unreasonably deny a student access to diverse points of view.

4. not intentionally suppress or distort subject matter relevant to a student's academic program.

5. not intentionally expose a student to unnecessary embarrassment or disparagement.

6. not intentionally provide classroom instruction to students in ~~kindergarten~~prekindergarten through grade ~~3~~8 on sexual orientation or gender identity, except when required by F.S. 1003.42(2)(n)3. and 1003.46.

7. not intentionally provide classroom instruction to students in grades 9 through 12 on sexual orientation or gender identity unless such instruction is required by state academic standards as adopted in F.A.C. 6A-1.09401, or is part of a reproductive health course or health lesson for which a student's parent has the option to have their student not attend.

8. not intentionally violate or deny a student's legal rights.

9. not discourage or prohibit parental notification of and involvement in critical decisions affecting a student's mental, emotional, or physical health or well-being unless the individual reasonably believes that disclosure would result in abuse, abandonment, or neglect as defined in F.S. 39.01.

10. not harass or discriminate against any student on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition, sexual orientation, or social and family background and shall make reasonable efforts to assure that each student is protected from harassment or discrimination. Discrimination on the basis of race, color, national origin, or sex includes subjecting any student to training or instruction that espouses, promotes, advances, inculcates, or compels such student to believe any of the concepts listed in F.S. 1000.05(4)(a).

11. not exploit a relationship with a student for personal gain or advantage.

12. keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law.

13. not violate F.S. 553.865(9)(b), which relates to entering restrooms and changing facilities designated for the opposite sex on the premises of an educational institution.

14. not violate F.S. 1000.071, which relates to the use of personal titles and pronouns in educational institutions.

B. Obligation to the public requires that the District instructional staff member shall:

1. take reasonable precautions to distinguish between personal views and those of any educational institution or organization with which the individual is affiliated.

2. not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression.

3. not use institutional privileges for personal gain or advantage. (see also Policy 3129, Conflict of Interest)

4. accept no gratuity, gift, or favor that might influence professional judgment. (see also Policy 3129, Conflict of Interest)

   (NOTE: Pursuant to F.S. 112.313, no instructional staff member shall solicit or accept anything of value including a gift (see F.S. 112.312), loan, reward, promise of future employment, favor, or service based upon an understanding that the vote, official action, or judgment of the administrator would be influenced thereby.)

5. offer no gratuity, gift, or favor to obtain special advantages.

C. Obligation to the profession of education requires that the District instructional staff member shall:

1. maintain honesty in all professional dealings.

2. not on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition if otherwise qualified, or social and family background deny to a colleague professional benefits or advantages or participation in any professional organization.

3. not interfere with a colleague's exercise of political or civil rights and responsibilities.

4. not engage in harassment or discriminatory conduct which unreasonably interferes with an individual's performance of professional or work responsibilities or with the orderly processes of education or which creates a hostile, intimidating, abusive, offensive, or oppressive environment; and, further, shall make reasonable efforts to assure that each individual is protected from such harassment or discrimination.

5. not make malicious or intentionally false statements about a colleague.

6. not use coercive means or promise special treatment to influence professional judgments of colleagues.

7. not misrepresent one's own professional qualifications.

8. not submit fraudulent information on any document in connection with professional activities.

9. not make any fraudulent statement or fail to disclose a material fact in one's own or another's application for a professional position.

10. not withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment.

11. provide upon the request of a certificated individual a written statement of specific reason for recommendations that lead to the denial of increments, significant changes in employment, or termination of employment.

12. not assist entry into or continuance in the profession of any person known to be unqualified in accordance with these *Principles of Professional Conduct for the Education Profession in Florida* and other applicable Florida statutes and State Board of Education rules.

13. self-report within forty-eight (48) hours to appropriate authorities (as determined by the District) any investigations involving the Department of Children and Families and any arrests/charges involving a criminal offense other than a minor traffic violation.

    Such notice shall not be considered an admission of guilt nor shall such notice be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. In addition, instructional staff members shall self-report any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea of guilty or Nolo Contendere for any criminal offense other than a minor traffic violation within forty-eight (48) hours after the final judgment. When handling sealed and expunged records disclosed under this rule, school districts shall comply with the confidentiality provisions of F.S. 943.0585(4)(c) and 943.059(4)(c).

14. report to appropriate authorities any known allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795(1).

15. seek no reprisal against any individual who has reported any allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795(1).

16. comply with the conditions of an order of the Education Practices Commission imposing probation, imposing a fine, or restricting the authorized scope of practice.

17. as the supervising administrator, cooperate with the Education Practices Commission in monitoring the probation of a subordinate.

D. No instructional staff member shall have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature which is in substantial conflict with the proper discharge of their duties in the public interest. (see also Policy 3129, Conflict of Interest)

All instructional staff members shall be required to complete training on the standards established herein upon employment and annually thereafter.

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Revised 5/9/23

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F.S. 112.312

F.S. 112.313

F.S. 1001.42(6)

F.S. 1001.421

F.S. 1006.32

F.S. 1012.23

F.A.C. 6A-10.081

Book	Policy Manual
Section	Special Update Sept 2023 REVISED
Title	Copy of STANDARDS OF ETHICAL CONDUCT
Code	po4210 12/7/23
Status	
Adopted	June 27, 2017
Last Revised	May 9, 2023

4210 - **STANDARDS OF ETHICAL CONDUCT**

Furthermore, the School Board hereby establishes the following as the standards of ethical conduct for all support staff members in the District who have direct access to students:

Support staff members shall be guided by and adhere to the following ethical principles:

A. The support staff member values the worth and dignity of every person, the pursuit of truth, devotion to excellence, acquisition of knowledge, and the nurture of democratic citizenship. Essential to the achievement of these standards are the freedom to learn and to teach and the guarantee of equal opportunity for all.

B. The support staff member's primary professional concern will always be for the student and for the development of the student's potential. The support staff member will therefore strive for professional growth and will seek to exercise the best professional judgment and integrity.

C. The support staff member strives to achieve and sustain the highest degree of ethical conduct because s/he is aware of the importance of maintaining the respect and confidence of one's colleagues, of students, of parents, and of other members of the community.

District staff members shall comply with the following disciplinary principles. Violation of any of these principles shall subject the individual to other penalties as provide by law, as well as disciplinary action, including but not limited to termination of employment.

All District support staff members shall comply with the following disciplinary principles.

A. Obligation to the student requires that the District support staff member shall:

1. make a reasonable effort to protect the student from conditions harmful to learning and/or to the student's mental and/or physical health and/or safety;

2. not unreasonably restrain a student from independent action in pursuit of learning;

3. not unreasonably deny a student access to diverse points of view;

4. not intentionally suppress or distort subject matter relevant to a student's academic program;

5. not intentionally expose a student to unnecessary embarrassment or disparagement;

6. not intentionally provide classroom instruction to students in ~~kindergarten~~prekindergarten through grade ~~3~~8 on sexual orientation or gender identity, except when required by F.S. 1003.42(2)(n)3. and 1003.46;

7. not intentionally provide classroom instruction to students in grades 9 through 12 on sexual orientation or gender identity unless such instruction is required by state academic standards as adopted in F.A.C. Rule 6A-1.09401, or is part of a reproductive health course or health lesson for which a student's parent has the

option to have their student not attend;

8. not intentionally violate or deny a student's legal rights;

9. not discourage or prohibit parental notification of and involvement in critical decisions affecting a student's mental, emotional, or physical health or well-being unless the individual reasonably believes that disclosure would result in abuse, abandonment, or neglect as defined in F.S. 39.01;

10. not harass or discriminate against any student on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition, sexual orientation, or social and family background and shall make reasonable efforts to assure that each student is protected from harassment or discrimination; discrimination on the basis of race, color, national origin, or sex includes subjecting any student to training or instruction that espouses, promotes, advances, inculcates, or compels such student to believe any of the concepts listed in F.S. 1000.05(4)(a);

11. not exploit a relationship with a student for personal gain or advantage;

12. keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law;

13. not violate F.S. 553.865(9)(b), which relates to entering restrooms and changing facilities designated for the opposite sex on the premises of an educational institution; and,

14. not violate F.S. 1000.071, which relates to the use of personal titles and pronouns in educational institutions.

15.

B. Obligation to the public requires that the District support staff member shall:

1. take reasonable precautions to distinguish between personal views and those of any educational institution or organization with which the individual is affiliated;

2. keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law;

3. not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression;

4. not use institutional privileges for personal gain or advantage; (see also Policy 4129, Conflict of Interest)

5. accept no gratuity, gift, or favor that might influence judgment; (see also Policy 4129, Conflict of Interest)

(NOTE: Pursuant to F.S. 112.313, no support staff member shall solicit or accept anything of value including a gift (see F.S. 112.312), loan, reward, promise of future employment, favor, or service based upon an understanding that the vote, official action, or judgment of the administrator would be influenced thereby.)

6. offer no gratuity, gift, or favor to obtain special advantages; (see also Policy 4129, Conflict of Interest)

C. Obligation to the profession of education requires that the District support staff member shall:

1. maintain honesty in all dealings;

2. not on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition if otherwise qualified, or social and family background deny to a colleague professional benefits or advantages or participation in any professional organization;

3. not interfere with a colleague's exercise of political or civil rights and responsibilities;

4. not engage in harassment or discriminatory conduct which unreasonably interferes with an individual's performance of professional or work responsibilities or with the orderly processes of education or which creates a hostile, intimidating, abusive, offensive, or oppressive environment; and, further, shall make reasonable efforts to assure that each individual is protected from such harassment or discrimination;

5. not make malicious or intentionally false statements about a colleague;

6. not use coercive means or promise special treatment to influence professional judgments of colleagues;

7. not misrepresent one's own professional qualifications;

8. not submit fraudulent information on any document in connection with professional activities;

9. not make any fraudulent statement or fail to disclose a material fact in one's own or another's application for a professional position;

10. self-report within forty-eight (48) hours to appropriate authorities (as determined by the District) any investigations involving the Department of Children and Families and any arrests/charges involving a criminal offense other than a minor traffic violation;

    Such notice shall not be considered an admission of guilt nor shall such notice be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. In addition, District support staff members shall self-report any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea of guilty or Nolo Contendere for any criminal offense other than a minor traffic violation within forty-eight (48) hours after the final judgment. When handling sealed and expunged records disclosed under this rule, school districts shall comply with the confidentiality provisions of F.S. 943.0585(4)(c) and 943.059(4)(c).

11. report to appropriate authorities any known allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795(1);

12. seek no reprisal against any individual who has reported any allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795(1).

No support staff member shall have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature that is in substantial conflict with the proper discharge of their duties in the public interest.

All District support staff members shall adhere to the principles enumerated above.

All support staff members shall be required to complete training on the standards established herein upon employment and annually thereafter.

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F.S. 112.312

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Book	Policy Manual
Section	Vol. 24 No. 2 REVISED
Title	Copy of SCHOOL IMPROVEMENT
Code	po2120 121/6/23 Added reference
Status	
Adopted	June 27, 2017
Last Revised	November 14, 2023

2120 - **SCHOOL IMPROVEMENT**

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

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

The Superintendent shall establish administrative procedures which will provide for:

A. School improvement plans are developed and implemented by school-based teams, working collaboratively, so that both building level and District level goals for students can be identified and correlated, and then achieved through effective planning, problem-solving, and assessment.

   Each year the school improvement plans for schools that include any of grades 6, 7, or 8 shall include information and data on the school's early warning system as required by this policy and Florida law.

   The school's early warning system shall include the following:

   1. a list of the early warning indicators as required by State law and set forth in this policy;

   2. the number of students identified by the system as exhibiting two (2) or more early warning indicators;

   3. the number of students by grade level that exhibit each early warning indicator; and

   4. a description of all intervention strategies employed by the school to improve the academic performance of students identified by the early warning system.

   In addition, the school improvement plan for a school that includes any of grades 6, 7, or 8 shall describe the strategies used by the school to implement the instructional practices for middle grades emphasized by the District's professional development system pursuant to State law.

B. A District-wide, school-improvement plan which provides for building-level decision-making regarding program assessment, curriculum review, determination of performance standards, budgetary review, staff development, and the monitoring and assessment of student outcomes.

C. Collaboration at both the building and District levels with parents, relevant institutions and groups, especially those in the community, who can support and facilitate school improvement in the District.

D. A system of school reports and dissemination of information regarding the performance of students and educational programs as required by Florida statute and State Board of Education rule.

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

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

The Carl Perkins Vocational and Applied Technology Education Act

The General Education Provisions Act

Parts of Education Department General Administrative Regulations

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

Early Warning System

Every school in the District with grades 6, 7, or 8 shall implement an early warning system to identify students who need additional support to improve academic performance and stay engaged in school. The early warning system shall include the following early warning indicators:

A. Attendance below ninety percent (90%) regardless of whether absence is excused or a result of out-of-school suspension.

B. One (1) or more suspensions whether in school or out of school.

C. Course failure in English Language Arts or mathematics.

D. A Level 1 score on the Statewide, standardized assessments in English Language Arts or mathematics.

E. For students in kindergarten through grade 3, a substantial reading deficiency under F.S. 1008.25(5)(a) or, for students in kindergarten through grade 4, a substantial mathematics deficiency under F.S. 1008.25 and F.A.C. 6A-6.0533.

When a student exhibits two (2) or more early warning indicators, the school's child study team or a school-based team formed for the purpose of implementing the requirements of this policy and State law shall convene to determine appropriate intervention strategies for the student. The school shall provide at least ten (10) days' written notice of the meeting to the student's parent indicating the meeting's purpose, time, and location so that the parent has the opportunity to participate.

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

7540 - **TECHNOLOGY**

The School Board is committed to the effective use of technology to both enhance the quality of student learning and the efficiency of District operations.

Although students' use of District technology resources (see definition in Bylaw 0100) is required to participate in and benefit from certain aspects of the District's curriculum and to participate in online assessment, unsupervised use of technology resources may be limited or denied if such use is not under the direct supervision of school staff if a student's use of District technology resources is in violation of the District's policy regarding acceptable use. ~~Students and their parents must sign and submit a Student Technology Acceptable Use and Safety form annually. (see also, Policy 7540.03)~~ **Students and their parents receive the Student Technology and Internet Safety Policy through the electronically available Student Code of Conduct available on the District website at www.manateeschools.net or on the school's website.**

Annually, the Superintendent shall develop a written **5-Year** Comprehensive Technology Plan (CTP), recommend the CTP to the Board for approval, and, upon approval, implement the CTP.

Annually, the Superintendent shall require the review of the implementation of the current CTP, update that plan as need be, and recommend the updated plan for approval by the Board. The CTP will address the need for District technology resources for all the District's instructional, operational and business functions, including, but not limited to software licenses, infrastructure hardware and software, technical support, telecommunication devices, servers, data storage, and recovery systems (both internal and external).

The Superintendent shall establish a technology governance committee to review and revise of the CTP and recommend revisions necessary to update it.

The Superintendent shall appoint members of the administrative, instructional, curriculum, operations, business, and information technology staff to the technology governance committee.

Procedures for the proper acquisition of technology shall be set forth in the CTP. The CTP shall also provide guidance to staff and students about making safe, appropriate, and ethical use of District technology resources, as well as inform both staff and students about disciplinary actions that will be taken if its technology resources are abused in any way or used in an inappropriate, illegal, or unethical manner. (see Policy 7540.03 and AP 7540.03 - Student Technology Acceptable Use and Safety, and Policy 7540.04 and AP 7540.04 - Staff Technology Acceptable Use and Safety)

This policy, along with the Student and Staff Technology Acceptable Use and Safety policies, and the Code of Student Conduct further govern students' and staff members' use of their wireless communication devices (see Policy 5136 and Policy 7530.02). Users have no right or expectation of privacy when using District technology resources (including, but not limited to, privacy in the content of their personal files, e-mails, and records of their online activity when using the District's computer network and/or Internet connection).

Further, safeguards shall be established so that the Board's investment in both hardware and software achieves the benefits of technology and inhibits negative side effects. Accordingly, students shall be educated about appropriate online behavior including, but not limited to, using social media to interact with others online; interacting with other individuals in chat rooms or on blogs; and, recognizing what constitutes cyberbullying, understanding cyberbullying is a violation of Board policy, and learning appropriate responses if they experience cyberbullying.

For purposes of this policy, social media is defined as Internet-based applications that facilitate communication (e.g., interactive/two-way conversation/dialogue) and networking between individuals or groups. Social media is "essentially a category of online media where people are talking, participating, sharing, networking, and bookmarking online. Most social media services encourage discussion, feedback, voting, comments, and sharing of information from all interested parties" (Quote from Ron Jones of Search Engine Watch). Social media provides a way for people to stay "connected or linked to other sites, resources, and people". Examples include FaceBook, Twitter, Instagram, webmail, text messaging, chat, blogs, and instant messaging (IM). Social media does not include sending or receiving e-mail through the use of District-issued e-mail accounts.

Staff may use social media for business-related purposes. Authorized staff may use District technology resources to access and use social media to increase awareness of District programs and activities, as well as to promote achievements of staff and students, provided the Superintendent approves, in advance, such access and use. Use of social media for business-related purposes is subject to Florida's public records laws and staff members are responsible for archiving their social media and complying with the District's record retention schedule. (see Policy 8310 - Public Records, AP 8310A - Public Records, and AP 8310D - Records Retention and Disposal)

Instructional staff and their students may use District technology resources to access and use social media for educational purposes, provided the Principal approves, in advance, such access and use.

Students must comply with Policy 7540.03 and Policy 5136 when using District technology resources to access and/or use social media. Similarly, staff must comply with Policy 7540.04 and Policy 7530.02 when using District technology resources to access and/or use social media.

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F.S. 1001.43

F.S. 1011.62

7540.04 - STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY

Technology has fundamentally altered the ways in which information is accessed, communicated, and transferred in society. As a result, educators are continually adapting their means and methods of instruction, and the way they approach student learning, to incorporate the vast, diverse, and unique resources available through the Internet. The School Board provides technology and information resources (as defined by Bylaw 0100) to support the educational and professional needs of its staff and students. The Board provides staff with access to the Internet for limited educational purposes only and utilizes online educational services/apps to enhance the instruction delivered to its students and to facilitate the staff's work. The District's computer network and Internet system do not serve as a public access service or a public forum and the Board imposes reasonable restrictions on its use consistent with its limited educational purpose.

The Board regulates the use of District technology and information resources by principles consistent with applicable local, State, and Federal laws and the District's educational mission. This policy and its related administrative procedures and any applicable employment contracts and collective bargaining agreements govern the staff's use of the District's technology and information resources and staff's wireless communication devices when they are connected to the District's computer network, Internet connection, and/or online educational services/apps, or when used while the staff member is on Board-owned property or at a Board-sponsored activity (see Policy 7530.02).

Users are required to refrain from actions that are illegal (such as libel, slander, vandalism, harassment, theft, plagiarism, inappropriate access, and the like) or unkind (such as personal attacks, invasion of privacy, injurious comment, and the like). Because its technology resources are not unlimited, the Board has also instituted restrictions aimed at preserving these resources, such as placing limits on use of bandwidth, storage space, and printers.

Users have no right or expectation to privacy when using District technology and information resources (including, but not limited to, privacy in the content of their personal files, e-mails, and records of their online activity when using the District's computer network and/or Internet connection).

Staff members are expected to utilize District technology and information resources to promote educational excellence in our schools by providing students with the opportunity to develop the resource sharing, innovation, and communication skills and tools that are essential to both life and work. The Board encourages the faculty to develop the appropriate skills necessary to effectively access, analyze, evaluate, and utilize these resources in enriching educational activities. The instructional use of the Internet and online educational services will be guided by Board Policy 2520 - Selection of and Adoption of Instructional Materials.

The Internet is a global information and communication network that brings incredible education and information resources to our students. The Internet connects computers and users in the District with computers and users worldwide. Through the Internet, students and staff can access relevant information that will enhance their learning and the education process. Further, District technology resources provide students and staff with the opportunity to communicate with other people from throughout the world. Access to such an incredible quantity of information and resources brings with it, however, certain unique challenges and responsibilities.

First, the Board may not be able to technologically limit access, through its technology resources, to only those services and resources that have been authorized for the purpose of instruction, study and research related to the curriculum. Unlike in the past when educators and community members had the opportunity to review and screen materials to assess their appropriateness for supporting and enriching the curriculum according to adopted guidelines and reasonable selection criteria (taking into account the varied instructional needs, learning styles, abilities, and developmental levels of the students who would be exposed to them), access to the Internet, because it serves as a gateway to any publicly available file server in the world, opens classrooms and students to electronic information resources that may not have been screened by educators for use by students of various ages.

Pursuant to Federal law, the Board has implemented technology protection measures that protect against (e.g., filter or block) access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors, as defined by the Children's Internet Protection Act (CIPA). At the discretion of the Board or Superintendent, the technology protection measures may also be configured to protect against access to other material considered inappropriate for students to access. The Board also utilizes software and/or hardware to monitor online activity of staff members to restrict access to child pornography and other material that is obscene, objectionable, inappropriate, and/or harmful to minors. The technology protection measures may not be disabled at any time that students may be using the District technology resources, if such disabling will cease to protect against access to materials that are prohibited under the CIPA. Any staff member who attempts to disable the technology protection measures without express written consent of an appropriate administrator will be subject to disciplinary action, up to and including termination.

The Superintendent or IT Department may temporarily or permanently unblock access to websites or online educational services/apps containing appropriate material, if access to such sites has been inappropriately blocked by the technology protection measures. The determination of whether material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material, not on the protection actions of the technology protection measures.

Staff members will participate in professional development programs in accordance with the provisions of law and this policy. Training shall include:

A. the safety and security of students while using e-mail, chat rooms, social media, and other forms of direct electronic communications;

B. the inherent danger of students disclosing personally identifiable information online;

C. the consequences of unauthorized access (e.g., "hacking", "harvesting", "digital piracy", "data mining", etc.), cyberbullying, and other unlawful or inappropriate activities by students or staff online; and

D. unauthorized disclosure, use, and dissemination of personally identifiable information regarding minors.

Furthermore, staff members shall provide instruction for their students regarding the appropriate use of technology and online safety and security as specified above, and staff members will monitor students' online activities while at school.

Monitoring may include, but is not necessarily limited to, visual observations of online activities during class sessions or use of specific monitoring tools to review browser history and network, server, and computer logs.

The disclosure of personally identifiable information about students online is prohibited.

Building principals are responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying procedures. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of the District technology resources. Such training shall include, but not be limited to, education concerning appropriate online behavior, including interacting with other individuals on social media, including in chat rooms and cyberbullying awareness and response. All users of District technology resources are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying procedures.

Staff will be assigned a school email address that they are required to utilize for all school-related electronic communications, including those to students, parents, and other staff members.

With prior approval from the Superintendent or ~~CIO~~ **Chief Technology Officer**, staff may direct students who have been issued school-assigned email accounts to use those accounts when signing-up/registering for access to various online educational services, including mobile applications/apps that will be utilized by the students for educational purposes under the teacher's supervision.

Staff members are responsible for good behavior when using District technology and information resources - i.e., behavior comparable to that expected when they are in classrooms, school hallways, and other school premises and school sponsored events. Communications on the Internet are often public in nature. The Board does not approve any use of its technology and information resources that is not authorized by or conducted strictly in compliance with this policy and its accompanying procedures.

Staff members may only use District technology resources to access or use social media if it is done for educational or business-related purposes.

General school rules for behavior and communication apply.

Users who disregard this policy and its accompanying procedures may have their use privileges suspended or revoked and disciplinary action taken against them. Users are personally responsible and liable, both civilly and criminally, for uses of District technology and information resources that are not authorized by this policy and its accompanying guidelines.

The Board designates the Superintendent and ~~CIO~~ **Chief Technology Officer** as the administrators responsible for initiating, implementing, and enforcing this policy and its accompanying procedures as they apply to staff members' use of District technology and information resources.

Social Media Use

An employee's personal or private use of social media may have unintended consequences. While the Board respects its employees' First Amendment rights, those rights do not include permission to engage in conduct that violates Board policies, the Code of Ethics of the Education Profession in Florida, the Principles of Professional Conduct for the Education Profession in Florida, or any other state of Federal laws, and may result in disciplinary action. This warning includes staff members' online conduct that occurs off school property including from the employee's private computer. Postings to social media should be done in a manner sensitive to the staff member's professional responsibilities.

In addition, Federal and State confidentiality laws forbid schools and their employees from using or disclosing student education records without parental consent (see Policy 8330). Education records include a wide variety of information; posting personally identifiable information about students is not permitted. Staff members who violate State and Federal confidentiality laws or privacy laws related to the disclosure of confidential student or employee information may be disciplined.

Staff members retain rights of communication for collective bargaining purposes and union organizational activities.

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F.S. 847.012
F.S. 1001.41
F.S. 1012.32
P.L. 106-554, Children's Internet Protection Act of 2000
47 U.S.C. 254(h),(1), Communications Act of 1934, as amended
20 U.S.C. 6801 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended
20 U.S.C. 6777 (2003)
20 U.S.C. 9134 (2003)
18 U.S.C. 2256
18 U.S.C. 1460
18 U.S.C. 2246
47 C.F.R. 54.500
47 C.F.R. 54.501
47 C.F.R. 54.502
47 C.F.R. 54.503
47 C.F.R. 54.504
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47 C.F.R. 54.520
47 C.F.R. 54.522
47 C.F.R. 54.523

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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

A. confidential,

B. controlled, or

C. 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.~~ Annually all employees are required to acknowledge the Employee Handbook and Staff Acceptable Use Policy electronically using MySDMC SSO. The Employee Handbook is also available on the Human Resources INTRANET SharePoint site.

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 ~~guidelines~~procedures apply to him/her or how they apply to him/her, the individual should contact the District's Chief Technology Officer ~~Director~~ or Information Technology Department/Office.

The Superintendent shall develop ~~guidelines~~proceduresthat 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 ~~guidelines~~procedures may put data/information collected and retain 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 terms of service privacy policies of contracted providers of online educational products that are offered to K-12 students comply with State and Federal privacy laws, including the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations, the Children's Online Privacy Protection Act (COPPA) F.S. 1002.22, and ~~with~~ the Student Online Personal Information Protection Act ~~in accordance with~~ F.S. 1006.1494.

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

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

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

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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 agencies; the local Fire Marshall(s) or his/her designee(s); representative(s) from emergency medical services; commissioned school safety officers; and/or school guardians.

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

A. security assessments;

B. roles and responsibilities of District personnel;

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

D. information sharing;

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

F. identification of Safe Spaces and Command Posts;

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

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

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

J. responsibilities prior to law enforcement arrival;

K. responsibilities when law enforcement arrives on school grounds;

L. communication with the public; and

M. post-incident recovery.

The District will adopt its initial DAARP by October 1.

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

School Safety Specialist

The Superintendent is responsible for designating the District's School Safety Specialist. The School Safety Specialist must be a school administrator employed by the District or a law enforcement officer employed by the Manatee County Sheriff's Office. Prior to appointing a law enforcement officer to serve as the School Safety Specialist, the Superintendent must verify that the law enforcement officer has met all statutory requirements and has been authorized and approved by the Manatee County Sheriff's Office to serve as the School Safety Specialist.

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

A. Training

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

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

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

B. Responsibilities

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

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

2. 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;

3. 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;

4. 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 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.

5. coordinating with appropriate public safety agencies, as defined in F.S. 365.161, that are designated as first responders to a school's campus to conduct a tour of such campus once every three (3) years and to provide recommendations related to school safety. Completion of such tours and any recommendations must be documented in each school's security risk assessment within the Florida Safe Schools Assessment Tool;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

   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.

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

The School Safety Specialist is responsible for notifying the Superintendent immediately and no later than the same day of receipt of any notice of suspected deficiency the School Safety Specialist receives from the Office of Safe Schools.

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

Recommendations of the School Safety Specialist

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

The School Safety Specialist shall report the school security risk assessment findings and recommendations and the Board's action(s) to the Office of Safe Schools no later than thirty (30) days after the Board meeting and prior to November 1 of each year.

The School Safety Specialist shall also submit a best-practices assessment in the Florida Safe Schools Assessment Tool.

As a part of the *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):

A. safety and security best practices;

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

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

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

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

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

2. allows all students in the class the opportunity to learn;

3. has consequences that are fair, and developmentally appropriate;

4. considers the student and the circumstances of the situation; and

5. is enforced accordingly.

Mental Health Coordinator

The Board shall identify a mental health coordinator for the District. The mental health coordinator shall serve as the District's primary point of contact regarding the District's coordination, communication, and implementation of student mental health policies, procedures, responsibilities, and reporting. The mental health coordinator is responsible for:

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

B. Maintaining records and reports regarding student mental health as it relates to school safety and the mental health assistance allocation under F.S. 1011.62(14).

C. Facilitating the implementation of District policies relating to the respective duties and responsibilities of the District, the Superintendent, and District Principals.

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

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

F. Reviewing annually the 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 and/or convene a meeting of the building administrator, representative(s) of the local law enforcement 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 and/or convene a meeting of the building administrator, representative(s) of the local law enforcement 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 Teams

The purpose of the threat assessment 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 teams are responsible for the coordination of resources and assessment and intervention with individuals whose behavior may pose a threat to the safety of school staff or students consistent with the model policies and procedures developed by the Office of Safe Schools which addresses early identification, evaluation, early intervention, and student support.

Each school-based threat assessment 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 assessment teams shall maintain documentation of their meetings, including meeting dates and times, team members in attendance, cases discussed, and actions taken.

A. Location and Membership

1. Threat assessment 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 assessment team must be involved in the threat assessment process and final decision-making.

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

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

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

    a. identifying team participants by position and role;

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

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

B. Responsibilities and Activities of Threat Assessment Teams

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

1. identification of individuals in the school community to whom threatening behavior should be reported and provide guidance to students, faculty, and staff regarding recognition of

threatening or aberrant behavior that may represent a threat to the community, school, or self;

2. utilizing the ~~Department's behavior threat assessment instrument~~ the Florida Model Instrument developed pursuant to F.S. 1001.212;

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

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

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

   The Superintendent shall immediately attempt to notify the student's parent or legal guardian. However, nothing in this paragraph shall preclude District personnel from acting immediately to address an imminent threat.

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

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

7. create procedures related to engaging behavioral health crisis resources.

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

C. Sharing of Information

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

D. Immediate Mental Health or Substance Abuse Crisis

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

E. Threat Assessment Report

The threat management team shall prepare a threat assessment report using the Florida Model Instrument. A threat assessment report, all corresponding documentation, and any other information required by Florida Model Instrument in the threat management portal is an education record.

F. Behavior Threat Assessment Instrument Training

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

G. Office of Safe Schools Reporting

Each threat assessment team shall report quantitative data on its activities to the Office of Safe Schools, including all activities during the previous school year, and shall utilize the threat assessment database developed pursuant to F.S. 1001.212. The School Safety Specialist will report this information to the Office of Safe Schools. Additionally, the School Safety Specialist must report the following information utilizing the Florida Safe Schools Assessment Tool by October 1 of each year:

1. For each school year, the total number of threat assessments conducted, the number of transient threats, and the number of substantive threats; and,

2. Each school year, the number of threat assessments conducted, the number of transient threats, and the number of substantive threats as well as the gender, race, and grade level of all students must be assessed by the threat assessment team. The initial reporting period for the Florida Model Instrument will be from January 1-May 31, 2024, and information will be due by June 15, and annually thereafter for the preceding school year.

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).

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 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") 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.

Revised 5/25/19
Revised 7/27/21
Revised 3/8/22
Revised 9/13/22
Revised 12/13/22

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F.S. 1001.212

F.S. 1006.07

F.S. 1006.13

F.S. 1006.1493

Office of Safe Schools School Security Risk 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. 6A-1.0019

F.A.C. 6AER23-02

Last Modified by Kevin Chapman on May 16, 2024

Approval of Advertising a Notice of Intent to Amend School Board Policies and Setting a Public Hearing at the Board Meeting on July 30, 2024

Part Two

Policy 1242, 3242, 4242 – Professional Learning (Revised)
The revisions to Policies 1242, 3242, and 4242 are in response to recent revisions to F.A.C. Rules 6A-5.069 and 6A-5.071. The revisions to Policies 1242 and 3242 include the following: (1) new language specifying the requirements of what must be included in the District's professional learning system; (2) technical updates; and (3) revised legal references. The revisions to Policy 4242 include technical updates and revised legal references.

Policy 1362, 3362, 4362 – Anti-Harassment (Revised)
Policy 5517.01 – Bullying and Harassment (Revised)
As many school districts are aware, F.S. 1006.147 provides that "[b]ullying or harassment of any student or employee of a public K-12 educational institution is prohibited..." In light of the reference to "employee" in the statute, Policies 1362, 3362, and 4362 have been revised to incorporate various provisions from F.S. 1006.147. Additionally, Policy 5517.01 is revised to include a cross reference to Policies 1362, 3362, and 4362 so that complaints alleging bullying or harassment of an employee are appropriately addressed.

Polic 2210 – Curriculum Development (Revised)
The revisions to Policy 2210 incorporate language from F.A.C. Rule 6A-6.053 (District Comprehensive Evidence-Based Reading Plan). The revisions (1) specify that the District's Comprehensive Evidence-Based Reading Plan (CERP) will include all District schools, including charter schools, unless a charter school elects to submit a plan independently from the District, (2) include updated approval and submission requirements, and (3) include new legal references. Importantly, school districts are encouraged to periodically review F.A.C. Rule 6A-6.053 in its entirety.

Policy 2271 – Articulation and Access to Florida College System (Revised)
The revision to Policy 2271 is based on an amendment to F.A.C. Rule 6A-20.007 changing the name of the "William L. Boyd, IV, Florida Resident Access Grant Program" to the "William L. Boyd, IV, Effective Access to Student Education Grant Program."

Policy 8330 – Student Records (Revised)
Policy 8330 is revised to incorporate revisions to F.A.C. 6A-1.0955, including the removal of language addressing "transient or substantive threats" and "non-threats".

Policy 8600 - Transportation
Policy 8600 includes new language pertaining to School Bus Infraction Detection Systems per F.A.C. Rule 6A-3.003.

Policy 8600.04 - Bus Operator Qualifications, Certification, Discipline, Termination (Revised)
SDMC made revisions based on updated Safe Driver Plan.

Policy 8651 – Board-Owned or Leased Vehicles (Revised)
SDMC made revisions based on updated Safe Driver Plan and Lease Vehicle Program.

1242 - PROFESSIONAL LEARNING

Professional Learning System

Pursuant to State law, the School District will work collaboratively with the Florida Department of Education (FLDOE), public postsecondary institutions, State education foundations, teachers consortia, professional organizations, and business/community representatives in Florida to maintain a coordinated system of professional learning The purpose of the system is to increase student achievement, enhance classroom instructional strategies that promote rigor and relevance throughout the curriculum, and prepare students for continuing education in the workforce.

Pursuant to Florida law, the term "professional learning" means learning that is aligned to Florida's standards for effective professional learning, educator practices, and leadership practices; incorporates active learning; is collaborative; provides models; and is sustained and continuous.

The District's comprehensive learning plan will incorporate school improvement plans, ~~will~~ align with the professional learning standards adopted by the State,, ~~which support the framework for standards adopted by Learning Forward~~ and ~~will~~ align with the principal leadership training. Furthermore, the results of the performance evaluations of administrators conducted pursuant to State law and School Board Policy 1220 will be used when identifying areas for which professional learning is needed.

As part of its effort to develop and refine its professional development system~~plan~~, the District will review and monitor school discipline data; school environment surveys; assessments of parental satisfaction; performance appraisal data of teachers, managers, and administrative personnel; and other performance indicators to identify school and student needs that can be met by improved professional performance.

The District's professional learning system shall include the following:

A. an overview of the system;

B. a list of the collaborative partnerships established and a description of how a diverse group of stakeholders was consulted during development of the system;

C. a description of the organizational structure of professional learning in the District;

D. a list of the District- and school-based positions with the primary responsibility for planning, providing, implementing, and supporting, or evaluating professional learning, and a brief description of their roles related to professional learning;

E. a description of the District's systems of professional learning programs and supports that enable instructional personnel and school administrators to continually develop throughout their career, and provide opportunities for meaningful teacher leadership and the identification and preparation of aspiring school leaders;

F. a description of how the District implements each of the professional learning standards outlined in State Board Rule;

G. a list of the technology platforms and programs the District uses to manage, provide, or support professional learning, and a brief description of how they are utilized;

H. a list of the funding sources and amounts allocated for the District's professional learning resources, and the percentage of the District's total operating expenses that is allocated for professional learning for each of the last three (3) school years; and,

I. confirmation that the system meets the requirements of F.S. 1012.98.

The Board will provide funding for learning as required by State law and the General Appropriations Act and will authorize expenditures from other sources to continuously strengthen the District's system of professional development. The plan will also provide for training for each teacher who will use materials that were purchased with funds allocated by the State for instructional materials, provide for in-service credit for the training, and document satisfactory completion of the training by each teacher.

The in-service activities for administrators shall focus on an analysis of student achievement data, the use of the Board-adopted evaluation program for instructional staff, ongoing formal and informal assessments of student achievement, identification and use of enhanced and differentiated instructional strategies that emphasize rigor, relevance, and reading in the content areas, enhancement of subject content expertise, integrated use of classroom technology that enhances teaching and learning, classroom management, parent involvement, and school safety.

The District shall also provide in-service activities and support targeted to the individual needs of new administrators participating in the learning certification and education competency program.

Additionally, the District shall make available, on a space available basis, in-service activities to instructional personnel who are designated as administrators of nonpublic schools in the District and the State-certified teachers who are not employed by the Board on a fee basis not to exceed the cost of the activity per all participants.

The Superintendent shall establish and maintain an individual learning plan for each administrator assigned to a school as a seamless component to the school improvement plans developed pursuant to State law. The individual learning plan established by the Superintendent shall:

A. define the in-service objectives and specific measurable improvements expected in student performance as a result of the in-service activity;

B. include an evaluation component that determines the effectiveness of the learning plan;

C. include in-service activities for school administrative personnel that address updated skills necessary for instructional leadership and effective school management;

D. provide for systematic consultation with regional and State personnel designated to provide technical assistance and evaluation of local learning programs;

E. provide for delivery of learning development by distance learning and other technology-based delivery systems to reach more educators at lower costs;

F. provide for the continuous evaluation of the quality and effectiveness of learning programs in order to eliminate ineffective programs and strategies and to expand effective ones. Evaluations must consider the impact of such activities on the performance of participating educators and their students' achievement and behavior.

Professional learning activities linked to student learning and professional growth for administrative staff will meet the following criteria:

A. Utilize materials aligned to the State's educational leadership standards.

B. Have clear, defined, and measurable outcomes for both individual in-service activities and multiple-day sessions.

C. Employ multiple measurement tools for data on teacher growth, participants' use of new knowledge and skills, student learning outcomes, instructional growth outcomes, and leadership growth outcomes, as applicable.

D. Utilize active learning and engage participants directly in designing and trying out strategies, providing participants with the opportunity to engage in authentic teaching and leadership experiences.

E. Utilize artifacts, interactive activities, and other strategies to provide deeply embedded and highly contextualized professional learning.

F. Create opportunities for collaboration.

G. Utilize coaching and expert support to involve the sharing of expertise about content and evidence-based practices, focused directly on the needs of the role.

H. Provide opportunities to think about, receive input on, and make changes to practice by facilitating reflection and providing feedback.

I. Provide sustained duration with follow-up to have adequate time to learn, practice, implement, and reflect upon new strategies that facilitate changes in practice.

By July 1st of each year and prior to the release of funds for instructional materials, pursuant to statutory requirements, the Superintendent will certify to the Commissioner of Education that the Board has approved a comprehensive learning plan that requires fidelity of implementation of instructional materials that are in the first two (2) years of the adoption cycle. The report will also include verification that the training was provided.

The District shall submit its professional learning system to the FLDOE for review and approval in accordance with timelines adopted by the FLDOE and as set forth in F.A.C. 6A-5.069.

Professional Learning Catalog

A. Components

As part of its coordinated system of learning the District will establish a Professional Learning Catalog (catalog) that outlines all learning opportunities, referred to as components, for all District employees from all funding sources. For each component, the catalog will include the following:

1. a title;

2. an identifying number assigned in accordance with the Florida Department of Education (FLDOE) Information Database Requirements: Volume II – Automated Staff Information System pursuant to F.S. 1008.385(2) and F.A.C. 6A-1.0014;

3. the maximum number of in-service points to be awarded for successful completion of the component, assigned in accordance with the specifications outlined in F.A.C. 6A-5.071(7);

4. a description of the specific objectives and activities to be completed; and,

5. the component evaluation criteria for determining the effectiveness of learning in:

    a. addressing the specific objectives;

    b. increasing educator knowledge and skills;

    c. changing educator dispositions or practice in the educational setting; and,

    d. improving student outcomes.

For each component for which in-service points will be awarded, the catalog will also include a description of any follow-up activities that will be required and support that will be provided to allow for successful completion of the component.

B. Review, Amendment, and Submission

Annually, the District shall conduct a review of the previous year's catalog program operations that results in a determination of its effectiveness in the educational setting as measured by changes in educator practice and student outcomes, and use this information to make decisions about which components to continue, modify, or eliminate.

Based on the results of the review, and by September 1st, annually, the catalog will be updated and approved by the Board.

By October 1st of each year, the District will submit a letter to the Commissioner of Education verifying that the Board has approved the District's catalog and that it meets the criteria set forth in F.A.C. 6A-5.071. Any components of the District's catalog developed or modified after the annual approval of the catalog will be approved as an amendment by the Board.

C. Record Maintenance and Data Reporting

The following information will be maintained for each component:

1. dates the component was delivered;
2. names of component leaders;
3. names of participants and performance records;
4. evaluation of the component; and,
5. criteria for successful completion.

The following information will be maintained for each component participant:

1. title and number of the component;
2. dates of participation;
3. satisfactory or unsatisfactory completion; and,

4. number of in-service points to be awarded, eligibility of the points to be used for certification, and expiration date of the educator's certificate(s), if applicable. All requirements for renewal of a Professional~~learning~~ Ceertificate on the basis of completion of in-service points pursuant to F.S. 1012.585 and F.A.C. 6A-4.0051 shall be met.

The District shall submit its professional learning catalog to the FLDOE for review and approval as set forth in F.A.C. 6A-5.071.

The District will report data information for all approved learning components through the FLDOE's automated data reporting procedures.

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F.S. 1001.42
F.S. 1011.67
F.S. 1012.22
F.S. 1012.34
F.S. 1012.98
F.S. 1012.985
F.S. 1012.986
F.A.C. 6A-5.069
F.A.C. 6A-5.071

Last Modified by Frankie St James on May 29, 2024

3242 - PROFESSIONAL LEARNING

Professional Learning System

Pursuant to State law, the School District will work collaboratively with the Florida Department of Education (FLDOE), public postsecondary institutions, State education foundations, teachers, consortia, professional organizations, and business/community representatives in Florida to maintain a coordinated system of professional learning The purpose of the system is to increase student achievement, enhance classroom instructional strategies that promote rigor and relevance throughout the curriculum, and prepare students for continuing education and the workforce.

Pursuant to Florida law, the term "professional learning" means learning that is aligned to Florida's standards for effective professional learning, educator practices, and leadership practices; incorporates active learning; is collaborative; provides models; and is sustained and continuous.

The District's comprehensive professional learning system will incorporate school improvement plans and ~~will~~ align with the professional learning standards adopted by the State~~, which support the framework for standards adopted by Learning Forward~~. Furthermore, the results of the performance evaluations of instructional staff members conducted pursuant to State law and School Board Policy 3220 will be used when identifying the areas for which professional learning is needed. As part of its effort to develop and refine its professional learning ~~plan~~system, the District will review and monitor school discipline data; school environment surveys; assessments of parental satisfaction; performance appraisal data of teachers, managers, and administrative personnel; and other performance indicators to identify school and student needs that can be met by improved professional performance.

The District's professional learning system shall include the following:

A. an overview of the system;

B. a list of the collaborative partnerships established and a description of how a diverse group of stakeholders was consulted during development of the system;

C. a description of the organizational structure of professional learning in the District;

D. a list of the District- and school-based positions with the primary responsibility for planning, providing, implementing, and supporting, or evaluating professional learning, and a brief description of their roles related to professional learning;

E. a description of the District's systems of professional learning programs and supports that enable instructional personnel and school administrators to continually develop throughout their career, and provide opportunities for meaningful teacher leadership and the identification and preparation of aspiring school leaders;

F. a description of how the District implements each of the professional learning standards outlined in State Board Rule;

G. a list of the technology platforms and programs the District uses to manage, provide, or support professional learning, and a brief description of how they are utilized;

H. a list of the funding sources and amounts allocated for the District's professional learning resources, and the percentage of the District's total operating expenses that is allocated for professional learning for each of the last three (3) school years; and,

I. confirmation that the system meets the requirements of F.S. 1012.98.

The Board will provide funding for professional learning as required by State law and the General Appropriations Act and will authorize expenditures from other sources to continuously strengthen the District's system of professional learninglearning. The plan will also provide for training for each teacher who will use materials that were purchased with funds allocated by the State for instructional materials, provide for in-service credit for the training, and document satisfactory completion of the training by each teacher.

The in-service activities for instructional personnel shall include, but not be limited to analysis of student achievement data, ongoing formal and informal assessments of student achievement, identification and use of enhanced and differentiated instructional strategies that emphasize rigor, relevance, and reading in the content areas, enhancement of subject content expertise, integrated use of classroom technology that enhances teaching and learning, classroom management, parent involvement, and school safety. Additionally, the District shall make available, on a space available basis, in-service activities to instructional personnel of nonpublic schools in the District and the State certified teachers who are not employed by the Board on a fee basis not to exceed the cost of the activity per all participants.

School principals shall establish and maintain an individual professional learning plan for each instructional employee assigned to the school. The individual professional learning plan must:

A. be related to specific performance data for the students to whom the teacher is assigned;

B. define the in-service objectives and specific measurable improvements expected in student performance as a result of the in-service activity(ies);

C. include an evaluation component that determines the effectiveness of the professional learning plan.

Professional learning activities linked to student learning and professional growth for instructional staff will meet the following criteria:

D. Utilize materials aligned to the State's educational leadership standards.

E. Have clear, defined, and measurable outcomes for both individual in-service activities and multiple day sessions.

F. Employ multiple measurement tools for data on teacher growth, participants' use of new knowledge and skills, student learning outcomes, instructional growth outcomes, and leadership growth outcomes, as applicable.

G. Utilize active learning and engage participants directly in designing and trying out strategies, providing participants with the opportunity to engage in authentic teaching and leadership experiences.

H. Utilize artifacts, interactive activities, and other strategies to provide deeply embedded and highly contextualized professional learning.

I. Create opportunities for collaboration.

J. Utilize coaching and expert support to involve the sharing of expertise about content and evidence-based practices, focused directly on the needs of the role.

K. Provide opportunities to think about, receive input on, and make changes to practice by facilitating reflection and providing feedback.

L. Provide sustained duration with follow-up to have adequate time to learn, practice, implement, and reflect upon new strategies that facilitate changes in practice.

Professional Learning Certification and Education Competency Program

The District will provide the competency-based professional learning certification program developed by the FLDOE by which members of the District's instructional staff with a State-issued temporary certificate may satisfy the mastery of professional preparation and education competence requirements specified in State law and rules of the State Board of Education.

Certification of an Approved Comprehensive Professional Learning Plan

By July 1st of each year and prior to the release of funds for instructional materials, pursuant to statutory requirements, the Superintendent will certify to the Commissioner of Education that the Board has approved a HQMIP that requires fidelity of implementation of instructional materials that are in the first two (2) years of the adoption cycle. The report will also include verification that the training was provided.

The District shall submit its professional learning system to the FLDOE for review and approval in accordance with timelines adopted by the FLDOE and as set forth in F.A.C. 6A-5.069.

Professional Learning Catalog

A. Components

As part of its coordinated system of professional learning, the District will establish a Professional Learning Catalog (catalog) that outlines all professional learning opportunities, referred to as components, for all District employees from all funding sources. For each component, the catalog will include the following:

1. a title;

2. an identifying number assigned in accordance with the FLDOE Information Database Requirements: Volume II – Automated Staff Information System pursuant to F.S. 1008.385(2) and F.A.C. 6A-1.0014;

3. the maximum number of in-service points to be awarded for successful completion of the component, assigned in accordance with the specifications outlined in F.A.C. 6A-5.071(7);

4. a description of the specific objectives and activities to be completed; and,

5. the component evaluation criteria for determining the effectiveness of professional learning in:

    a. addressing the specific objectives;

    b. increasing educator knowledge and skills;

c. changing educator dispositions or practice in the educational setting; and,

d. improving student outcomes.

For each component for which in-service points will be awarded, the catalog will also include a description of any follow-up activities that will be required and support that will be provided to allow for successful completion of the component.

B. Review, Amendment, and Submission

Annually, the District shall conduct a review of the previous year's catalog program operations that results in a determination of its effectiveness in the educational setting as measured by changes in educator practice and student outcomes, and use this information to make decisions about which components to continue, modify, or eliminate.

Based on the results of the review, and by September 1st, annually, the catalog will be updated and approved by the Board.

By October 1st of each year, the District will submit a letter to the Commissioner of Education verifying that the Board has approved the District's catalog and that it meets the criteria set forth in F.A.C. 6A-5.071. Any components of the District's catalog developed or modified after the annual approval of the catalog will be approved as an amendment by the Board.

C. Record Maintenance and Data Reporting

The following information will be maintained for each component:

1. dates the component was delivered;
2. names of component leaders;
3. names of participants and performance records;
4. evaluation of the component; and,
5. criteria for successful completion.

The following information will be maintained for each component participant:

1. title and number of the component;
2. dates of participation;
3. satisfactory or unsatisfactory completion; and,
4. number of in-service points to be awarded, eligibility of the points to be used for certification, and expiration date of the educator's certificate(s), if applicable. All requirements for renewal of a ~~professional certificate~~Professional Certificate on the basis of completion of in-service points pursuant to F.S. 1012.585 and F.A.C. 6A-4.0051 shall be met.

The District shall submit its professional learning catalog to the FLDOE for review and approval as set forth in F.A.C. 6A-5.071.

The District will report data information for all approved professional learning components through the FLDOE's automated data reporting procedures.

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Revised 11/14/23

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F.S. 1001.42
F.S. 1011.62
F.S. 1012.22
F.S. 1012.34
F.S. 1012.56
F.S. 1012.98
F.S. 1012.985
F.S. 1012.986
F.A.C. 6A-5.069
F.A.C. 6A-5.071

Last Modified by Frankie St James on May 29, 2024

Book	Policy Manual
Section	Special Update March 2024 REVISED
Title	Copy of STAFF DEVELOPMENT
Code	*po4242 fsj 5/29/24
Status	
Adopted	June 27, 2017
Last Revised	July 27, 2021

4242 - **STAFF DEVELOPMENT**

Professional Development System

The School Board believes that training is a prerequisite for continued growth of staff and, therefore, pursuant to State law, requires support staff members in in-service and other training programs.

By July 1st of each year and prior to the release of funds for instructional materials, pursuant to statutory requirements, the Board shall approve a comprehensive staff development plan that requires fidelity of implementation of instructional materials that are in the first two (2) years of the adoption cycle.

The staff development plan shall provide for training for each paraprofessional who will use these materials in their assignment, and require documentation of satisfactory completion of the training by each individual.

In addition to requiring training about the fidelity of instructional materials for those support staff who may use them, incorporating school improvement plans, and aligning with principal leadership training, the District's staff development plan shall require necessary and appropriate training for the various classifications of support staff, including, but not limited to, job-specific skills training, training related to the *School Safety and Security Plan*, and any other training required by State or Federal law.

The Superintendent shall annually report to the Board on the implementation of the District's staff development plan.

Professional Learning Catalog

A. Components

B. As part of its coordinated system of professional ~~development~~learning, the District will establish a Professional Learning Catalog (catalog) that outlines all professional learning opportunities, referred to as components, for all District employees from all funding sources. For each component, the catalog will include the following:

1. a title;

2. an identifying number assigned in accordance with the ~~FLDOE~~Florida Department of Education (FLDOE) Information Database Requirements: Volume II – Automated Staff Information System pursuant to F.S. 1008.385~~(2)~~ and F.A.C. 6A-1.0014;

C. 1. the maximum number of in-service points to be awarded for successful completion of the component, assigned in accordance with the specifications outlined in F.A.C. 6A-5.071(7);

2. a description of the specific objectives and activities to be completed; and,

3. the component evaluation criteria for determining the effectiveness of professional learning in:

a. addressing the specific objectives;

b. increasing employee knowledge and skills;

c. changing employee dispositions or practice in the educational setting; and,

d. improving student outcomes.

For each component for which in-service points will be awarded, the catalog will also include a description of any follow-up activities that will be required and support that will be provided to allow for successful completion of the component.

B. Review, Amendment, and Submission

Annually, the District shall conduct a review of the previous year's catalog program operations that results in a determination of its effectiveness in the educational setting as measured by changes in educator practice and student outcomes, and use this information to make decisions about which components to continue, modify, or eliminate.

Based on the results of the review, and by September 1st, annually, the catalog will be updated and approved by the Board.

By October 1st of each year, the District will submit a letter to the Commissioner of Education verifying that the Board has approved the District's catalog and that it meets the criteria set forth in F.A.C. 6A-5.071. Any components of the District's catalog developed or modified after the annual approval of the catalog will be approved as an amendment by the Board.

C. Record Maintenance and Data Reporting

The following information will be maintained for each component:

1. dates the component was delivered;
2. names of component leaders;
3. names of participants and performance records;
4. evaluation of the component; and,
5. criteria for successful completion.

The following information will be maintained for each component participant:

1. title and number of the component;
2. Dates of participation;
3. Satisfactory or unsatisfactory completion; and,
4. number of in-service points to be awarded, eligibility of the points to be used for certification, and expiration date of the educator's certificate(s), if applicable. All requirements for renewal of a professional certificate on the basis of completion of in-service points pursuant to F.S. 1012.585 and F.A.C. 6A-4.0051 shall be met.

The District will report data information for all approved professional learning components through the FLDOE's automated data reporting procedures.

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F.S. 1012.98

F.S. 1012.985

F.A.C. 6A-5.069

F.A.C. 6A-5.071

I. General Policy Statement

It is the policy of the School Board to maintain an educational and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board. Further, the Board prohibits the bullying of any employee as set forth in F.S. 1006.147.

The Superintendent will vigorously enforce its prohibition against discriminatory harassment on the basis of race (including anti-Semitism [as defined in Bylaw 0100]), ethnicity, color, national origin, sex (including sexual orientation, gender status, or gender identity), disability (including HIV, AIDS, or sickle cell trait), pregnancy, marital status, age (except as authorized by law), religion, military status, ancestry, or genetic information which are classes protected by State and/or Federal law (collectively, "protected classes"; hereinafter referred to as unlawful harassment), and encourages those within the School District community as well as Third Parties, who feel aggrieved to seek assistance to rectify such problems. The Superintendent will investigate all allegations of unlawful harassment and in those cases where unlawful harassment is substantiated, the Superintendent will take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

The District will offer counseling services to any staff member found to have been subjected to unlawful harassment, and, where appropriate, the person(s) who committed the unlawful harassment.

Further, nothing in this policy shall be construed to abridge the rights of ~~students or~~ school employees that are protected by the First Amendment to the Constitution of the United States.

II. Other Violations of the Anti-Harassment Policy

The Superintendent will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.

B. Filing a malicious or knowingly false report or complaint of unlawful harassment.

C. Disregarding, failing to investigate adequately, or delaying the investigation of allegations of unlawful harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

III. Definitions

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

Complainant is the individual who alleges, or is alleged, to have been subjected to unlawful harassment, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

Respondent is the individual who has been alleged to have engaged in unlawful harassment, regardless of whether the reporting party files a formal complaint or is seeking an informal resolution to the alleged harassment.

School District community means students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

Day(s): Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

A. Bullying

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more ~~students or~~ employees and that bullying is based upon sex, race (including anti-Semitism), color, national origin, religion, or disability, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that creates ~~is severe or pervasive enough to create~~ an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation. This unlawful harassment may include, but not be limited to, the following:

1. teasing;
2. social exclusion;
3. threats;
4. intimidation;
5. stalking;
6. cyberstalking;

7. cyberbullying;

8. physical violence;

9. theft;

10. sexual, religious, or racial harassment;

11. public or private humiliation; or

12. destruction of property.

B. "Harassment" means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct directed against ~~a student or~~ a school employee that:

1. places ~~a student or~~ school employee in reasonable fear of harm to his/her person or damage to his/her property;

2. has the effect of substantially interfering with an employee's ~~a student's~~ educational performance, opportunities, or benefits; or

3. has the effect of substantially disrupting the orderly operation of a school~~.~~

C. "Bullying" and "harassment" also include:

D. Retaliation against a school employee by a student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.

E. Perpetuation of conduct listed under the definitions of "bullying," "cyberbullying," or "harassment" by an individual or group with intent to demean, dehumanize, embarrass, or cause physical harm to a school employee by:

a. incitement or coercion;

b. accessing or knowingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the District school system; or,

c. acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

F.

D. Sexual Harassment

For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

1. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.

2. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.

3. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of any gender against a person of the same or another gender.

Sexual Harassment covered by Policy 2266 – Nondiscrimination on the Basis of Sex in Education Programs or Activities is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.

Prohibited acts that constitute sexual harassment under this policy may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

1. Unwelcome sexual propositions, invitations, solicitations, and flirtations.

2. Unwanted physical and/or sexual contact.

3. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs, activities, or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.

4. Unwelcome verbal expressions, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes, or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.

5. Sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings, or literature placed in the work or educational environment, that may reasonably embarrass or offend individuals.

6. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.

7. Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities.

8. Speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.

9. Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship.

10. Leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin.

11. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.

12. Consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.

13. Verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex stereotyping that does not involve conduct of a sexual nature.

14. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based and gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment, or such that it creates a hostile or abusive employment or educational environment.

D. Sexual Cyber Harassment

Pursuant to Florida law, "sexual cyber harassment" means to publish to an Internet website or disseminate through electronic means to another person a sexually explicit image of a person that contains or conveys the personal identification information of the depicted person without the depicted person's consent, contrary to the depicted person's reasonable expectation that the image would remain private, for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person. Evidence that the depicted person sent a sexually explicit image to another person does not, on its own, remove his/her reasonable expectation of privacy for that image. Sexual cyber harassment may be a form of sexual harassment.

E. Race/Color Harassment (Including Anti-Semitism)

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Prohibited anti-Semitism harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's Jewish heritage and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is based upon a certain perception of the Jewish people, which may be expressed as hatred toward Jewish people, rhetorical and physical manifestations of anti-Semitism directed toward a person, his/her property, or toward Jewish community institutions or religious facilities.

F. Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

G. National Origin Harassment

Prohibited national origin harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

H. Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disability, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

I. Pregnancy Harassment

Prohibited pregnancy harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's pregnancy and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's pregnancy and condition of pregnancy.

IV. Reports and Complaints of Harassing Conduct

Members of the School District community and Third Parties, which includes all staff, are encouraged to promptly report incidents of unlawful harassing conduct to an administrator, supervisor, or other School District official so that the Superintendent may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other District official who receives such a report shall file it with the District's Anti-Harassment Compliance Officer within two (2) days of receiving the report of harassment. Anonymous reports of an alleged act of bullying or harassment may be reported to an administrator, supervisor, or other School District official; however, formal disciplinary action may not be based solely on an anonymous report.

Members of the School District community and Third Parties who believe they have been unlawfully harassed by another member of the School District community or a Third Party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment or participation in educational or extra-curricular programs unless the Complainant makes the complaint maliciously or with knowledge that it is false. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of reported act of bullying and/or harassment in accordance with Policy 5517.01 – Bullying and Harassment, the principal or his/her designee believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on sex, race (including anti-Semitism), color, national origin, religion, or disability, the principal or his/her designee will report the act of bullying and/or harassment to one of the Compliance Officers who shall investigate the allegation in accordance with this policy. If the alleged harassment involves Sexual Harassment as defined by Policy 2266, the matter will be handled in accordance with the grievance process and procedures outlined in Policy 2266. While the Compliance Officer investigates the allegation, or while the matter is being addressed pursuant to Policy 2266, the Principal shall suspend Policy 5517.01 investigation to await the Compliance Officer's written report or the determination or responsibility pursuant to Policy 2266. The Compliance Officer shall keep the Principal informed of the status of the Policy 1362 investigation and provide the Principal with a copy of the resulting written report. Likewise, the Title IX Coordinator will provide the Principal with the determination of responsibility that results from the Policy 2266 grievance process.

A. Compliance Officer

For current contact information of the School District's Section 504 Compliance Officer/ADA Coordinator and Title IX Coordinators, please visit www.manateeschools.net/titleix or call (941) 708-8770.

B. Publication Required

The names, titles, and contact information of these individuals will be published annually in the staff handbooks and/ or on the School District's website.

The names, titles, and/or contact information of the persons presently serving as Compliance Officer may change from time to time, and such changes shall be deemed technical corrections within the meaning of Bylaw 0131.1 and shall be made pursuant to that bylaw.

C. Duties and Responsibilities

A Compliance Officer will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the School District community, and Third Parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

Any Board employee who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Anti-Harassment Compliance Officers within two (2) days. Thereafter, the Compliance Officer or designee must contact the Complainant, if over age eighteen (18) or the Complainant's parents/guardians if the Complainant is under the age eighteen (18), within two (2) days to advise of the Superintendent's intent to investigate the alleged misconduct, including the obligation of the compliance officer or designee to conduct an investigation following all the procedures outlined for a formal complaint.

The Compliance Officer are assigned to accept complaints of unlawful harassment directly from any member of the School District community or a visitor to the District or to receive complaints which are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, the Compliance Officer will begin either an informal or formal process (depending on the request of the member of the School District community alleging harassment), or the Compliance Officer will designate a specific individual to conduct such a process. In the case of a formal complaint, the Compliance Officer will prepare, after consultation with the Staff Attorney, recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of unlawful harassment which are reported to them to an Compliance Officer within five (5) days of learning of the incident.

V. Investigation and Complaint Procedure

Except for Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Program or Activities, any employee or other member of the School District community or Third Party who believes that they have been subjected to unlawful harassment may seek resolution of the complaint through the procedures described below. The formal complaint process involves an investigation of the Complainant's claims of harassment or retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful harassment or retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education, Office for Civil Rights (OCR), the Florida Commission on Human Relations (FCHR), and/or the Equal Employment Opportunity Commission (EEOC).

A. Informal Complaint Procedure

The goal of the informal complaint procedure is to promptly stop inappropriate behavior and to facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student, other member of the School District community, or Third Party who alleges unlawful harassment or retaliation. This informal procedure is not required as a precursor to the filing of a formal complaint.

Employees, other members of the School District community, or Third Parties who believe that they have been unlawfully harassed or retaliated against may initiate their complaint through this informal complaint process, but are not required to do so. The informal process is only available in those circumstances where the Complainant and the Respondent mutually agree to participate in it.

The Complainant may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

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

As an initial course of action, if a Complainant feels comfortable and safe in doing so, the individual should tell or otherwise inform the Respondent that the alleged harassing conduct is unwelcome and must stop. The Complainant should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officer is available to support and counsel individuals when taking this initial step or to intervene on behalf of the Complainant if requested to do so. A Complainant who is uncomfortable or

unwilling to directly approach the Respondent about the allegedly inappropriate conduct may file an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

A Complainant may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator; (2) to the Superintendent or other District-level employee; and/or (3) directly to one of the Compliance Officers.

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

The School District's informal complaint procedure is designed to provide employees, other members of the School District community, or Third Parties who believe they are being unlawfully harassed by another individual with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the Complainant, informal resolution may involve, but not be limited to, one or more of the following:

1. Advising the Complainant about how to communicate the unwelcome nature of the behavior to the Respondent.

2. Distributing a copy of this policy as a reminder to the individuals in the school building or office where the Respondent works or attends.

3. If both parties agree, the Compliance Officer may arrange and facilitate a meeting or mediation between the Complainant and Respondent to work out a mutual resolution.

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

All materials generated as part of the informal complaint process will be retained by the Compliance Officers or designee in accordance with the Board's records retention policy. (See Policy 8310 and Policy 8320)

B. Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or the Complainant, from the outset, elects to file a formal complaint, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process as described below shall be implemented.

This formal complaint process is not intended to interfere with the rights of an employee, other member of the School District community, or third party to

pursue a complaint of unlawful harassment with the United States Department of Education, Office for Civil Rights, the Florida Civil Rights Commission, or the Equal Employment Opportunity Commission.

The Complainant may file a formal complaint, either orally or in writing with a teacher, principal, or other District official, the Compliance Officer, Superintendent, or other District official. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, principal, or other District official, the Compliance Officer, Superintendent, or other District official, either orally or in writing, about any complaint of harassment, that employee must report such information to the Compliance Officer within two (2) days.

Throughout the course of the process, as described herein, the Compliance Officer should keep the parties reasonably informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter the Compliance Officer will prepare a written summary of the oral interview, and the complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation including but not limited to a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the Compliance Officer should consult the Complainant to assess his/her agreement to any action deemed appropriate. If the Complainant is unwilling to consent to any change that is deemed appropriate by the Compliance Officer, the Compliance Officer may still take whatever actions deemed appropriate in consultation with the Superintendent and/or Board Attorney.

Within two (2) days of receiving a formal complaint, the Compliance Officer or a designee will initiate a formal investigation to determine whether the complainant has been subjected to offensive conduct/harassment/retaliation. The Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the Respondent that a formal complaint has been received. The respondent will be informed about the nature of the allegations and a copy of any relevant policies and/or administrative procedures and the Board's anti-harassment policy shall be provided to the respondent at that time. The respondent must also be informed of the opportunity to submit a written response to the formal complaint within five (5) days.

Although certain cases may require additional time, the Compliance Officer or a designee will attempt to complete an investigation into the allegations of

harassment/retaliation within fifteen (15) days of receiving the formal complaint. The investigation will include:

1. interviews with the Complainant;

2. interviews with the Respondent;

3. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;

4. consideration of any documentation or other evidence presented by the complainant, respondent, or any other witness which is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer/designee shall consult with the Staff Attorney. A written report shall then be prepared and delivered to the Superintendent which summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Respondent engaged in unlawful harassment/retaliation of the Complainant. The Compliance Officer's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used. The Compliance Officer may consult with the Board Attorney before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) days of receiving the report of the Compliance Officer or the designee, the Superintendent must either issue a written decision regarding whether or not the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the complainant and the respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.

The decision of the Superintendent shall be final.

The Superintendent reserves the right to investigate and resolve a complaint or report of unlawful harassment regardless of whether the member of the School District community or Third Party alleging the unlawful harassment pursues the complaint. The Superintendent also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Superintendent.

The parties may be represented, at their own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

VI. Privacy/Confidentiality

The School District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and related administrative procedures shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.

During the course of a formal investigation, the Compliance Officer or designee will instruct all members of the School District community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that is learned or provided during the course of the investigation.

All public records created as a part of an investigation of a complaint of harassment will be maintained by the Compliance Officer in accordance with the Board's records retention policy. Any records which are considered student records in accordance with the Family Educational Rights and Privacy Act will be maintained in a manner consistent with the provisions of the Federal and State laws.

VII. Sanctions and Monitoring

The Superintendent shall vigorously enforce the Board's prohibitions against unlawful harassment and bullying by taking appropriate action reasonably calculated to stop the harassment/retaliation/bullying and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the ~~suspension/expulsion of a student~~. Disciplinary action up to and including the discharge of an employee may occur if an employee is found to have wrongfully and intentionally accused another of an act of bullying or harassment. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Superintendent may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

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

VIII. Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

IX. Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any teacher or school employee who knows or suspects that a child under the age of eighteen (18) is a victim of child abuse or neglect to immediately report that knowledge or suspicion to the Department of Children and Family Services. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the complainant, a report of such knowledge must be made in accordance with State law and Board policy.

If the Compliance Officer or a designee has reason to believe that the complainant has been the victim of criminal conduct as defined under Florida law, such knowledge should be reported to local law enforcement.

Any reports made to the local child protection service or to local law enforcement shall not terminate the Compliance Officer or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

X. Mandatory Reporting of Misconduct by Certificated Employees

The Superintendent is required by State law and Board Policy 8141 to report alleged misconduct by certificated employees of the District that affects the health, safety, or welfare of a student. In accordance with Board policy and State law, the Superintendent shall investigate each allegation of such conduct and, if confirmed, shall report such misconduct pursuant to Policy 8141.

XI. Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding this policy and harassment in general, will be age and content appropriate.

XII. Retention of Investigatory Records and Materials

The Compliance Officer is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all information, documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created

and received as part of an investigation, including, but not limited to:

A. all written reports/allegations/complaints/statements;

B. narratives of all verbal reports/allegations/complaints/statements;

C. a narrative of all actions taken by District personnel;

D. any written documentation of actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities;

E. written witness statements;

F. narratives of, notes from, or audio, video, or digital recordings of witness statements;

G. all documentary evidence;

H. e-mails, texts, or social media posts pertaining to the investigation;

I. contemporaneous notes in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.) pertaining to the investigation;

J. written disciplinary sanctions issued to students or employees and a narrative of verbal disciplinary sanctions issued to students or employees for violations of the policies and procedures prohibiting discrimination or harassment;

K. dated written determinations to the parties;

L. dated written descriptions of verbal notifications to the parties;

M. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;

N. documentation of any supportive measures offered and/or provided to the Complainant and/or the Respondent, including no-contact orders issued to both parties, the dates the no-contact orders were issued, and the dates the parties acknowledged receipt of the no-contact orders;

O. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks);

P. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment; and

Q. documentation of any training provided to District personnel related to this policy, including but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy.

The information, documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal and/or State law (e.g., student records).

The information, documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, and Policy 8320 for not less than three (3) years, but longer if required by the District's records retention schedule.

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Legal

F.S. 110.1221

F.S. 250.481

F.S. 760.01

F.S. 760.10

F.S. 784.049

F.S. 1000.05

F.S. 1006.07

20 U.S.C. 1400 et seq., The Individuals with Disabilities Improvement Act of 2004, as amended (commonly known as the Individuals with Disabilities Act)

42 U.S.C. 2000d et seq.

42 U.S.C. 2000e et seq.

29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967

29 U.S.C. 794, Rehabilitation Act of 1973

29 C.F.R. Part 1635

29 U.S.C. 6101, The Age Discrimination Act of 1975

38 U.S.C. 4301 et seq., The Uniformed Services Employment and Reemployment Rights Act

42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

20 U.S.C. 1681 et seq.

42 U.S.C. 1983

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

Last Modified by Frankie St James on May 29, 2024

I. General Policy Statement

It is the policy of the School Board to maintain an educational and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board. Further, the Board prohibits the bullying of any employee as set forth in F.S. 1006.147.

The Superintendent will vigorously enforce its prohibition against discriminatory harassment on the basis of race (including anti-Semitism [as defined in Bylaw 0100]), ethnicity, color, national origin, sex (including sexual orientation, gender status, or gender identity), disability (including HIV, AIDS, or sickle cell trait), pregnancy, marital status, age (except as authorized by law), religion, military status, ancestry, or genetic information which are classes protected by State and/or Federal law (collectively, "protected classes"; hereinafter referred to as unlawful harassment), and encourages those within the School District community as well as Third Parties, who feel aggrieved to seek assistance to rectify such problems. The Superintendent will investigate all allegations of unlawful harassment and in those cases where unlawful harassment is substantiated, the Superintendent will take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

The District will offer counseling services to any staff member found to have been subjected to unlawful harassment, and, where appropriate, the person(s) who committed the unlawful harassment.

Further, nothing in this policy shall be construed to abridge the rights of students or school employees that are protected by the First Amendment to the Constitution of the United States.

II. Other Violations of the Anti-Harassment Policy

The Superintendent will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.

B. Filing a malicious or knowingly false report or complaint of unlawful harassment.

C. Disregarding, failing to investigate adequately, or delaying the investigation of allegations of unlawful harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

III. Definitions

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

Complainant is the individual who alleges, or is alleged, to have been subjected to unlawful harassment, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

Respondent is the individual who has been alleged to have engaged in unlawful harassment, regardless of whether the reporting party files a formal complaint or is seeking an informal resolution to the alleged harassment.

School District community means students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

Day(s): Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

A. Bullying

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more ~~students or~~ employees and that bullying is based upon sex, race (including anti-Semitism), color, national origin, religion, or disability, that is, characteristics that are

protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that ~~is severe or pervasive enough to create~~creates an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation. This unlawful harassment may include, but not be limited to, the following:

1. teasing;
2. social exclusion;
3. threats;
4. intimidation;
5. stalking;
6. cyberstalking;
7. cyberbullying;
8. physical violence;
9. theft;
10. sexual, religious, or racial harassment;
11. public or private humiliation; or
12. destruction of property.

A. "Harassment" means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a ~~student or~~ school employee that:

1. places a ~~student or~~ school employee in reasonable fear of harm to his/her person or damage to his/her property;
2. has the effect of substantially interfering with ~~a student's~~an employee's educational performance, opportunities, or benefits; or
3. has the effect of substantially disrupting the orderly operation of a school.

C. "Bullying" and "harassment" also include:

1. Retaliation against a school employee by a student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.

2. Perpetuation of conduct listed under the definitions of "bullying," "cyberbullying," or "harassment" by an individual or group with intent to demean, dehumanize, embarrass, or cause physical harm to a school employee by:

   a. incitement or coercion;

   b. accessing or knowingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the District school system; or,

   c. acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

D.

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E. D. Sexual Harassment

For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

1. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.

2. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.

3. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of any gender against a person of the same or another gender.

Sexual Harassment covered by Policy 2266 – Nondiscrimination on the Basis of Sex in Education Programs or Activities is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.

Prohibited acts that constitute sexual harassment under this policy may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

1. Unwelcome sexual propositions, invitations, solicitations, and flirtations.

2. Unwanted physical and/or sexual contact.

3. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs, activities, or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.

4. Unwelcome verbal expressions, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes, or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.

5. Sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings, or literature placed in the work or educational environment, that may reasonably embarrass or offend individuals.

6. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.

7. Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities.

8. Speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.

9. Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship.

10. Leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin.

11. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.

12. Consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.

13. Verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex stereotyping that does not involve conduct of a sexual nature.

14. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based and gender-based conduct must be sufficiently severe, pervasive, or~~and~~ persistent such that it adversely affects, limits, or denies an individual's employment, or such that it creates a hostile or abusive employment or educational environment.

D. Sexual Cyber Harassment

Pursuant to Florida law, "sexual cyber harassment" means to publish to an Internet website or disseminate through electronic means to another person a sexually explicit image of a person that contains or conveys the personal identification information of the depicted person without the depicted person's consent, contrary to the depicted person's reasonable expectation that the image would remain private, for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person. Evidence that the depicted person sent a sexually explicit image to another person does not, on its own, remove his/her reasonable expectation of privacy for that image. Sexual cyber harassment may be a form of sexual harassment.

E. Race/Color Harassment (Including Anti-Semitism)

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning

environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Prohibited anti-Semitism harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's Jewish heritage and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is based upon a certain perception of the Jewish people, which may be expressed as hatred toward Jewish people, rhetorical and physical manifestations of anti-Semitism directed toward a person, his/her property, or toward Jewish community institutions or religious facilities.

F. Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

G. National Origin Harassment

Prohibited national origin harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

H. Disability Harassment

Prohibited disability harassment occurs when unwelcome physical,

verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disability, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

I. Pregnancy Harassment

Prohibited pregnancy harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's pregnancy and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's pregnancy and condition of pregnancy.

IV. Reports and Complaints of Harassing Conduct

Members of the School District community and Third Parties, which includes all staff, are encouraged to promptly report incidents of unlawful harassing conduct to an administrator, supervisor, or other School District official so that the Superintendent may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other District official who receives such a report shall file it with the District's Anti-Harassment Compliance Officer within two (2) days of receiving the report of harassment. Anonymous reports of an alleged act of bullying or harassment may be reported to an administrator, supervisor, or other School District official; however, formal disciplinary action may not be based solely on an anonymous report.

V. Members of the School District community and Third Parties who believe they have been unlawfully harassed by another member of the School District community or a Third Party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment or participation in educational or extra-curricular programs unless the Complainant makes the complaint maliciously or with knowledge that it is false. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as

soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of reported act of bullying and/or harassment in accordance with Policy 5517.01 – Bullying and Harassment, the principal or his/her designee believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on sex, race (including anti-Semitism), color, national origin, religion, or disability, the principal or his/her designee will report the act of bullying and/or harassment to one of the Compliance Officers who shall investigate the allegation in accordance with this policy. If the alleged harassment involves Sexual Harassment as defined by Policy 2266, the matter will be handled in accordance with the grievance process and procedures outlined in Policy 2266. While the Compliance Officer investigates the allegation, or while the matter is being addressed pursuant to Policy 2266, the Principal shall suspend Policy 5517.01 investigation to await the Compliance Officer's written report or the determination or responsibility pursuant to Policy 2266. The Compliance Officer shall keep the Principal informed of the status of the Policy 1362 investigation and provide the Principal with a copy of the resulting written report. Likewise, the Title IX Coordinator will provide the Principal with the determination of responsibility that results from the Policy 2266 grievance process.

A. Compliance Officer

For current contact information of the School District's Section 504 Compliance Officer/ADA Coordinator and Title IX Coordinators, please visit www.manateeschools.net/titleix or call (941) 708-8770.

B. Publication Required

The names, titles, and contact information of these individuals will be published annually in the staff handbooks and/or on the School District's website.

The names, titles, and/or contact information of the persons presently serving as Compliance Officer may change from time to time, and such changes shall be deemed technical corrections within the meaning of Bylaw 0131.1 and shall be made pursuant to that bylaw.

C. Duties and Responsibilities

A Compliance Officer will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students,

other members of the School District community, and Third Parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

Any Board employee who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Anti-Harassment Compliance Officers within two (2) days. Thereafter, the Compliance Officer or designee must contact the Complainant, if over age eighteen (18) or the Complainant's parents/guardians if the Complainant is under the age eighteen (18), within two (2) days to advise of the Superintendent's intent to investigate the alleged misconduct, including the obligation of the compliance officer or designee to conduct an investigation following all the procedures outlined for a formal complaint.

The Compliance Officer is assigned to accept complaints of unlawful harassment directly from any member of the School District community or a visitor to the District or to receive complaints which are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, the Compliance Officer will begin either an informal or formal process (depending on the request of the member of the School District community alleging harassment), or the Compliance Officer will designate a specific individual to conduct such a process. In the case of a formal complaint, the Compliance Officer will prepare, after consultation with the Staff Attorney, recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of unlawful harassment which are reported to them to a Compliance Officer within five (5) days of learning of the incident.

V. Investigation and Complaint Procedure

Except for Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Program or Activities, any employee or other member of the School District community or Third Party who believes that they have been subjected to unlawful harassment may seek resolution of the complaint through the procedures described below. The formal complaint process involves an investigation of the Complainant's claims of harassment or retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful harassment or

retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education, Office for Civil Rights (OCR), the Florida Commission on Human Relations (FCHR), and/or the Equal Employment Opportunity Commission (EEOC).

A. Informal Complaint Procedure

The goal of the informal complaint procedure is to promptly stop inappropriate behavior and to facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student, other member of the School District community, or Third Party who alleges unlawful harassment or retaliation. This informal procedure is not required as a precursor to the filing of a formal complaint.

Employees, other members of the School District community, or Third Parties who believe that they have been unlawfully harassed or retaliated against may initiate their complaint through this informal complaint process, but are not required to do so. The informal process is only available in those circumstances where the Complainant and the Respondent mutually agree to participate in it.

The Complainant may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

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

As an initial course of action, if a Complainant feels comfortable and safe in doing so, the individual should tell or otherwise inform the Respondent that the alleged harassing conduct is unwelcome and must stop. The Complainant should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officer is available to support and counsel individuals when taking this initial step or to intervene on behalf of the Complainant if requested to do so. A Complainant who is uncomfortable or unwilling to directly approach the Respondent about the allegedly inappropriate conduct may file an

informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

A Complainant may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator; (2) to the Superintendent or other District-level employee; and/or (3) directly to one of the Compliance Officers.

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

The School District's informal complaint procedure is designed to provide employees, other members of the School District community, or Third Parties who believe they are being unlawfully harassed by another individual with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the Complainant, informal resolution may involve, but not be limited to, one or more of the following:

1. Advising the Complainant about how to communicate the unwelcome nature of the behavior to the Respondent.

2. Distributing a copy of this policy as a reminder to the individuals in the school building or office where the Respondent works or attends.

3. If both parties agree, the Compliance Officer may arrange and facilitate a meeting or mediation between the Complainant and Respondent to work out a mutual resolution.

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

All materials generated as part of the informal complaint process will be retained by the Compliance Officers or designee in accordance with the Board's records retention policy. (See Policy 8310 and Policy 8320)

B. Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or the Complainant, from the outset, elects to file a formal complaint, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process as described below shall be implemented.

This formal complaint process is not intended to interfere with the rights of an employee, other member of the School District community, or third party to pursue a complaint of unlawful harassment with the United States Department of Education, Office for Civil Rights, the Florida Civil Rights Commission, or the Equal Employment Opportunity Commission.

The Complainant may file a formal complaint, either orally or in writing with a teacher, principal, or other District official, the Compliance Officer, Superintendent, or other District official. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, principal, or other District official, the Compliance Officer, Superintendent, or other District official, either orally or in writing, about any complaint of harassment, that employee must report such information to the Compliance Officer within two (2) days.

Throughout the course of the process, as described herein, the Compliance Officer should keep the parties reasonably informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter the Compliance Officer will prepare a written summary of the oral interview, and the complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the Compliance Officer will consider

whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation including but not limited to a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the Compliance Officer should consult the Complainant to assess his/her agreement to any action deemed appropriate. If the Complainant is unwilling to consent to any change that is deemed appropriate by the Compliance Officer, the Compliance Officer may still take whatever actions deemed appropriate in consultation with the Superintendent and/or Board Attorney.

Within two (2) days of receiving a formal complaint, the Compliance Officer or a designee will initiate a formal investigation to determine whether the complainant has been subjected to offensive conduct/harassment/retaliation. The Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the Respondent that a formal complaint has been received. The respondent will be informed about the nature of the allegations and a copy of any relevant policies and/or administrative procedures and the Board's anti-harassment policy shall be provided to the respondent at that time. The respondent must also be informed of the opportunity to submit a written response to the formal complaint within five (5) days.

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

1. interviews with the Complainant;

2. interviews with the Respondent;

3. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;

4. consideration of any documentation or other evidence presented by the complainant, respondent, or any other witness which is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer/designee shall consult with the Staff Attorney. A written report shall then be prepared and delivered to the Superintendent which summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to

whether the Respondent engaged in unlawful harassment/retaliation of the Complainant. The Compliance Officer's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used. The Compliance Officer may consult with the Board Attorney before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) days of receiving the report of the Compliance Officer or the designee, the Superintendent must either issue a written decision regarding whether or not the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the complainant and the respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.

The decision of the Superintendent shall be final.

The Superintendent reserves the right to investigate and resolve a complaint or report of unlawful harassment regardless of whether the member of the School District community or Third Party alleging the unlawful harassment pursues the complaint. The Superintendent also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Superintendent.

The parties may be represented, at their own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

VI. Privacy/Confidentiality

The School District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure

obligations. All records generated under the terms of this policy and related administrative procedures shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.

During the course of a formal investigation, the Compliance Officer or designee will instruct all members of the School District community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that is learned or provided during the course of the investigation.

All public records created as a part of an investigation of a complaint of harassment will be maintained by the Compliance Officer in accordance with the Board's records retention policy. Any records which are considered student records in accordance with the Family Educational Rights and Privacy Act will be maintained in a manner consistent with the provisions of the Federal and State laws.

VII. Sanctions and Monitoring

The Superintendent shall vigorously enforce the Board's prohibitions against unlawful harassment and bullying by taking appropriate action reasonably calculated to stop the harassment/retaliation/bullying and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. Disciplinary action up to and including the discharge of an employee may occur if an employee is found to have wrongfully and intentionally accused another of an act of bullying or harassment. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Superintendent may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s). Where the Superintendent becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

VIII. Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may

intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

IX. Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any teacher or school employee who knows or suspects that a child under the age of eighteen (18) is a victim of child abuse or neglect to immediately report that knowledge or suspicion to the Department of Children and Family Services. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the complainant, a report of such knowledge must be made in accordance with State law and Board policy.

If the Compliance Officer or a designee has reason to believe that the complainant has been the victim of criminal conduct as defined under Florida law, such knowledge should be reported to local law enforcement.

Any reports made to the local child protection service or to local law enforcement shall not terminate the Compliance Officer or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

X. Mandatory Reporting of Misconduct by Certificated Employees

The Superintendent is required by State law and Board Policy 8141 to report

alleged misconduct by certificated employees of the District that affects the health, safety, or welfare of a student. In accordance with Board policy and State law, the Superintendent shall investigate each allegation of such conduct and, if confirmed, shall report such misconduct pursuant to Policy 8141.

XI. Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding this policy and harassment in general, will be age and content appropriate.

XII. Retention of Investigatory Records and Materials

The Compliance Officer is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all information, documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and received as part of an investigation, including, but not limited to:

A. all written reports/allegations/complaints/statements;

B. narratives of all verbal reports/allegations/complaints/statements;

C. a narrative of all actions taken by District personnel;

D. any written documentation of actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities;

E. written witness statements;

F. narratives of, notes from, or audio, video, or digital recordings of witness statements;

G. all documentary evidence;

H. e-mails, texts, or social media posts pertaining to the investigation;

I. contemporaneous notes in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.) pertaining to the investigation;

J. written disciplinary sanctions issued to students or employees and a narrative of verbal disciplinary sanctions issued to students or employees for violations of the policies and procedures prohibiting discrimination or harassment;

K. dated written determinations to the parties;

L. dated written descriptions of verbal notifications to the parties;

M. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;

N. documentation of any supportive measures offered and/or provided to the Complainant and/or the Respondent, including no-contact orders issued to both parties, the dates the no-contact orders were issued, and the dates the parties acknowledged receipt of the no-contact orders;

O. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks);

P. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment; and

Q. documentation of any training provided to District personnel related to this policy, including but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy.

The information, documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal and/or State law (e.g., student records).

The information, documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, and Policy 8320 for not less than three (3) years, but longer if required by the District's records retention schedule.

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Revised 3/28/23

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Legal

F.S. 110.1221

F.S. 250.481

F.S. 760.01

F.S. 760.10

F.S. 784.049

F.S. 1000.05

F.S. 1006.07

F.S. 1006.147

20 U.S.C. 1400 et seq., The Individuals with Disabilities Improvement Act of 2004, as amended (commonly known as the Individuals with Disabilities Act)

42 U.S.C. 2000d et seq.

42 U.S.C. 2000e et seq.

29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967

29 U.S.C. 794, Rehabilitation Act of 1973

29 C.F.R. Part 1635

29 U.S.C. 6101, The Age Discrimination Act of 1975

38 U.S.C. 4301 et seq., The Uniformed Services Employment and Reemployment Rights Act

42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

20 U.S.C. 1681 et seq.

42 U.S.C. 1983

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

Last Modified by Frankie St James on May 29, 2024

4362 - ANTI-HARASSMENT

I. General Policy Statement

It is the policy of the School Board to maintain an educational and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board. Further, the Board prohibits the bullying of any employee as set forth in F.S. 1006.147.

The Superintendent will vigorously enforce its prohibition against discriminatory harassment on the basis of race (including anti-Semitism [as defined in Bylaw 0100]), ethnicity, color, national origin, sex (including sexual orientation, gender status, or gender identity), disability (including HIV, AIDS, or sickle cell trait), pregnancy, marital status, age (except as authorized by law), religion, military status, ancestry, or genetic information which are classes protected by State and/or Federal law (collectively, "protected classes"; hereinafter referred to as unlawful harassment), and encourages those within the School District community as well as Third Parties, who feel aggrieved to seek assistance to rectify such problems. The Superintendent will investigate all allegations of unlawful harassment and in those cases where unlawful harassment is substantiated, the Superintendent will take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

The District will offer counseling services to any staff member found to have been subjected to unlawful harassment, and, where appropriate, the person(s) who committed the unlawful harassment.

Further, nothing in this policy shall be construed to abridge the rights ~~of students or~~ of school employees that are protected by the First Amendment to the Constitution of the United States.

II. Other Violations of the Anti-Harassment Policy

The Superintendent will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.

B. Filing a malicious or knowingly false report or complaint of unlawful harassment.

C. Disregarding, failing to investigate adequately, or delaying the investigation of allegations of unlawful harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

III. Definitions

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

Complainant is the individual who alleges, or is alleged, to have been subjected to unlawful harassment, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

Respondent is the individual who has been alleged to have engaged in unlawful harassment, regardless of whether the reporting party files a formal complaint or is seeking an informal resolution to the alleged harassment.

School District community means students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

Day(s): Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

A. Bullying

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more ~~students or~~ employees and that bullying is based upon sex, race (including anti-Semitism), color, national origin, religion, or disability, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated

written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that ~~is severe or pervasive enough to create~~creates an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation. This unlawful harassment may include, but not be limited to, the following:

1. teasing;
2. social exclusion;
3. threats;
4. intimidation;
5. stalking;
6. cyberstalking;
7. cyberbullying;
8. physical violence;
9. theft;
10. sexual, religious, or racial harassment;
11. public or private humiliation; or
12. destruction of property.

B. "Harassment" means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct directed against a ~~student or a~~ school employee that:

1. places a ~~student or~~ school employee in reasonable fear of harm to his/her person or damage to his/her property;
2. has the effect of substantially interfering with ~~a student's~~an employee's educational performance, opportunities, or benefits; or
3. has the effect of substantially disrupting the orderly operation of a school.

C. "Bullying" and "harassment" also include:

1. Retaliation against a school employee by a student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.

2. Perpetuation of conduct listed under the definitions of "bullying," "cyberbullying," or "harassment" by an individual or group with intent to demean, dehumanize, embarrass, or cause physical harm to a school employee by:

    a. incitement or coercion;

    b. accessing or knowingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the District school system; or,

    c. acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

D. Sexual Harassment

For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

1. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.

2. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.

3. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of any gender against a person of the same or another gender.

Sexual Harassment covered by Policy 2266 – Nondiscrimination on the Basis of Sex in Education Programs or Activities is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.

Prohibited acts that constitute sexual harassment under this policy may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

1. Unwelcome sexual propositions, invitations, solicitations, and flirtations.

2. Unwanted physical and/or sexual contact.

3. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs, activities, or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.

4. Unwelcome verbal expressions, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes, or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.

5. Sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings, or literature placed in the work or educational environment, that may reasonably embarrass or offend individuals.

6. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.

7. Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities.

8. Speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.

9. Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship.

10. Leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin.

11. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.

12. Consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.

13. Verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex stereotyping that does not involve conduct of a sexual nature.

14. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based and gender-based conduct must be sufficiently severe, pervasive, or ~~and~~ persistent such that it adversely affects, limits, or denies an individual's employment, or such that it creates a hostile or abusive employment or educational environment.

D. Sexual Cyber Harassment

Pursuant to Florida law, "sexual cyber harassment" means to publish to an Internet website or disseminate through electronic means to another person a sexually explicit image of a person that contains or conveys the personal identification information of the depicted person without the depicted person's consent, contrary to the depicted person's reasonable expectation that the image would remain private, for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person. Evidence that the depicted person sent a sexually explicit image to another person does not, on its own, remove his/her reasonable expectation of privacy for that image. Sexual cyber harassment may be a form of sexual harassment.

E. Race/Color Harassment (Including Anti-Semitism)

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Prohibited anti-Semitism harassment occurs when unwelcome physical,

verbal, or nonverbal conduct is based upon an individual's Jewish heritage and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is based upon a certain perception of the Jewish people, which may be expressed as hatred toward Jewish people, rhetorical and physical manifestations of anti-Semitism directed toward a person, his/her property, or toward Jewish community institutions or religious facilities.

F. Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

G. National Origin Harassment

Prohibited national origin harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

H. Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disability, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's

genetic information.

I. Pregnancy Harassment

Prohibited pregnancy harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's pregnancy and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's pregnancy and condition of pregnancy.

IV. Reports and Complaints of Harassing Conduct

Members of the School District community and Third Parties, which includes all staff, are encouraged to promptly report incidents of unlawful harassing conduct to an administrator, supervisor, or other School District official so that the Superintendent may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other District official who receives such a report shall file it with the District's Anti-Harassment Compliance Officer within two (2) days of receiving the report of harassment. Anonymous reports of an alleged act of bullying or harassment may be reported to an administrator, supervisor, or other School District official; however, formal disciplinary action may not be based solely on an anonymous report.

Members of the School District community and Third Parties who believe they have been unlawfully harassed by another member of the School District community or a Third Party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment or participation in educational or extra-curricular programs unless the Complainant makes the complaint maliciously or with knowledge that it is false. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of reported act of bullying and/or harassment in accordance with Policy 5517.01 – Bullying and Harassment, the principal or his/her designee believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on sex, race (including anti-Semitism), color, national origin, religion, or disability, the principal or his/her designee will report the act of bullying and/or harassment to one of the Compliance Officers who shall investigate the allegation in accordance with this policy. If the alleged harassment involves Sexual Harassment as defined by Policy 2266, the

matter will be handled in accordance with the grievance process and procedures outlined in Policy 2266. While the Compliance Officer investigates the allegation, or while the matter is being addressed pursuant to Policy 2266, the Principal shall suspend Policy 5517.01 investigation to await the Compliance Officer's written report or the determination or responsibility pursuant to Policy 2266. The Compliance Officer shall keep the Principal informed of the status of the Policy 1362 investigation and provide the Principal with a copy of the resulting written report. Likewise, the Title IX Coordinator will provide the Principal with the determination of responsibility that results from the Policy 2266 grievance process.

A. Compliance Officer

For current contact information of the School District's Section 504 Compliance Officer/ADA Coordinator and Title IX Coordinators, please visit www.manateeschools.net/titleix or call (941) 708-8770.

B. Publication Required

The name(s), title(s), and contact information of these individuals will be published annually in the Staff handbooks and/or on the School District's website.

The names, titles, and/or contact information of the persons presently serving as Compliance Officer may change from time to time, and such changes shall be deemed technical corrections within the meaning of Bylaw 0131.1 and shall be made pursuant to that bylaw.

E. Duties and Responsibilities

A Compliance Officer will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the School District community, and Third Parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

Any Board employee who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Anti-Harassment Compliance Officers within two (2) days. Thereafter, the Compliance Officer or designee must contact the Complainant, if over age eighteen (18) or the Complainant's parents/guardians if the Complainant is under the age eighteen (18), within two (2) days to advise of the Superintendent's intent to investigate the alleged misconduct, including the obligation of the compliance officer or designee to conduct an investigation following all

the procedures outlined for a formal complaint.

The Compliance Officer are assigned to accept complaints of unlawful harassment directly from any member of the School District community or a visitor to the District or to receive complaints which are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, the Compliance Officer will begin either an informal or formal process (depending on the request of the member of the School District community alleging harassment), or the Compliance Officer will designate a specific individual to conduct such a process. In the case of a formal complaint, the Compliance Officer will prepare, after consultation with the Staff Attorney, recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of unlawful harassment which are reported to them to a Compliance Officer within five (5) days of learning of the incident.

V. Investigation and Complaint Procedure

Except for Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Program or Activities, any employee or other member of the School District community or Third Party who believes that they have been subjected to unlawful harassment may seek resolution of the complaint through the procedures described below. The formal complaint process involves an investigation of the Complainant's claims of harassment or retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful harassment or retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education, Office for Civil Rights (OCR), the Florida Commission on Human Relations (FCHR), and/or the Equal Employment Opportunity Commission (EEOC).

A. Informal Complaint Procedure

The goal of the informal complaint procedure is to promptly stop inappropriate behavior and to facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a

less formal option for a student, other member of the School District community, or Third Party who alleges unlawful harassment or retaliation. This informal procedure is not required as a precursor to the filing of a formal complaint.

Employees, other members of the School District community, or Third Parties who believe that they have been unlawfully harassed or retaliated against may initiate their complaint through this informal complaint process, but are not required to do so. The informal process is only available in those circumstances where the Complainant and the Respondent mutually agree to participate in it.

The Complainant may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

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

As an initial course of action, if a Complainant feels comfortable and safe in doing so, the individual should tell or otherwise inform the Respondent that the alleged harassing conduct is unwelcome and must stop. The Complainant should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officer is available to support and counsel individuals when taking this initial step or to intervene on behalf of the Complainant if requested to do so. A Complainant who is uncomfortable or unwilling to directly approach the Respondent about the allegedly inappropriate conduct may file an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

A Complainant may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator; (2) to the Superintendent or other District-level employee; and/or (3) directly to one of the Compliance Officers.

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

The School District's informal complaint procedure is designed to provide employees, other members of the School District community, or Third Parties who believe they are being unlawfully harassed by another individual with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the Complainant, informal resolution may

involve, but not be limited to, one or more of the following:

1. Advising the Complainant about how to communicate the unwelcome nature of the behavior to the Respondent.

2. Distributing a copy of this policy as a reminder to the individuals in the school building or office where the Respondent works or attends.

3. If both parties agree, the Compliance Officer may arrange and facilitate a meeting or mediation between the Complainant and Respondent to work out a mutual resolution.

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

All materials generated as part of the informal complaint process will be retained by the Compliance Officers or designee in accordance with the Board's records retention policy. (See Policy 8310 and Policy 8320)

B. Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or the Complainant, from the outset, elects to file a formal complaint, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process as described below shall be implemented.

This formal complaint process is not intended to interfere with the rights of an employee, other member of the School District community, or third party to pursue a complaint of unlawful harassment with the United States Department of Education, Office for Civil Rights, the Florida Civil Rights Commission, or the Equal Employment Opportunity Commission.

The Complainant may file a formal complaint, either orally or in writing with a teacher, principal, or other District official, the Compliance Officer, Superintendent, or other District official. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however,

individuals should make every effort to file a complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, principal, or other District official, the Compliance Officer, Superintendent, or other District official, either orally or in writing, about any complaint of harassment, that employee must report such information to the Compliance Officer within two (2) days.

Throughout the course of the process, as described herein, the Compliance Officer should keep the parties reasonably informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter the Compliance Officer will prepare a written summary of the oral interview, and the complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation including but not limited to a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the Compliance Officer should consult the Complainant to assess his/her agreement to any action deemed appropriate. If the Complainant is unwilling to consent to any change that is deemed appropriate by the Compliance Officer, the Compliance Officer may still take whatever actions deemed appropriate in consultation with the Superintendent and/or Board Attorney.

Within two (2) days of receiving a formal complaint, the Compliance Officer or a designee will initiate a formal investigation to determine whether the complainant has been subjected to offensive conduct/harassment/retaliation. The Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the Respondent that a formal complaint has been received. The respondent will be informed about the nature of the allegations and a copy of any relevant policies and/or administrative procedures and the Board's anti-harassment policy shall be provided to the respondent at that time. The respondent must also be informed of the opportunity to submit a written response to the formal complaint within five (5) days.

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

1. interviews with the Complainant;

2. interviews with the Respondent;

3. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;

4. consideration of any documentation or other evidence presented by the complainant, respondent, or any other witness which is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer/designee shall consult with the Staff Attorney. A written report shall then be prepared and delivered to the Superintendent which summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Respondent engaged in unlawful harassment/retaliation of the Complainant. The Compliance Officer's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used. The Compliance Officer may consult with the Board Attorney before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) days of receiving the report of the Compliance Officer or the designee, the Superintendent must either issue a written decision regarding whether or not the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the complainant and the respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.

The decision of the Superintendent shall be final.

The Superintendent reserves the right to investigate and resolve a complaint or report of unlawful harassment regardless of whether the member of the School District community or Third Party alleging the

unlawful harassment pursues the complaint. The Superintendent also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Superintendent.

The parties may be represented, at their own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

VI. Privacy/Confidentiality

The School District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and related administrative procedures shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.

During the course of a formal investigation, the Compliance Officer or designee will instruct all members of the School District community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that is learned or provided during the course of the investigation.

All public records created as a part of an investigation of a complaint of harassment will be maintained by the Compliance Officer in accordance with the Board's records retention policy. Any records which are considered student records in accordance with the Family Educational Rights and Privacy Act will be maintained in a manner consistent with the provisions of the Federal and State laws.

VII. Sanctions and Monitoring

The Superintendent shall vigorously enforce the Board's prohibitions against unlawful harassment and bullying by taking appropriate action reasonably calculated to stop the harassment/retaliation/bullying and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee ~~or the suspension/expulsion of a student~~. Disciplinary action up to and including the discharge of an employee

may occur if an employee is found to have wrongfully and intentionally accused another of an act of bullying or harassment. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Superintendent may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

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

VIII. Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

IX. Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any teacher or school employee who knows or suspects that a child under the age of eighteen (18) is a victim of child abuse or neglect to immediately report that knowledge or suspicion to the Department of Children and Family Services. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or

suspect that the alleged conduct reasonably indicates abuse or neglect of the complainant, a report of such knowledge must be made in accordance with State law and Board policy.

If the Compliance Officer or a designee has reason to believe that the complainant has been the victim of criminal conduct as defined under Florida law, such knowledge should be reported to local law enforcement.

Any reports made to the local child protection service or to local law enforcement shall not terminate the Compliance Officer or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

X. Mandatory Reporting of Misconduct by Certificated Employees

The Superintendent is required by State law and Board Policy 8141 to report alleged misconduct by certificated employees of the District that affects the health, safety, or welfare of a student. In accordance with Board policy and State law, the Superintendent shall investigate each allegation of such conduct and, if confirmed, shall report such misconduct pursuant to Policy 8141.

XI. Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding this policy and harassment in general, will be age and content appropriate.

XII. Retention of Investigatory Records and Materials

The Compliance Officer is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all information, documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and received as part of an investigation, including, but not limited to:

A. all written reports/allegations/complaints/statements;

B. narratives of all verbal reports/allegations/complaints/statements;

C. a narrative of all actions taken by District personnel;

D. any written documentation of actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities;

E. written witness statements;

F. narratives of, notes from, or audio, video, or digital recordings of witness statements;

G. all documentary evidence;

H. e-mails, texts, or social media posts pertaining to the investigation;

I. contemporaneous notes in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.) pertaining to the investigation;

J. written disciplinary sanctions issued to students or employees and a narrative of verbal disciplinary sanctions issued to students or employees for violations of the policies and procedures prohibiting discrimination or harassment;

K. dated written determinations to the parties;

L. dated written descriptions of verbal notifications to the parties;

M. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;

N. documentation of any supportive measures offered and/or provided to the Complainant and/or the Respondent, including no-contact orders issued to both parties, the dates the no-contact orders were issued, and the dates the parties acknowledged receipt of the no-contact orders;

O. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks);

P. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment; and

Q. documentation of any training provided to District personnel related to this policy, including but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and

responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy.

The information, documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal and/or State law (e.g., student records).

The information, documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, and Policy 8320 for not less than three (3) years, but longer if required by the District's records retention schedule.

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Revised 11/9/21
Revised 4/12/22
Revised 3/28/23

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Legal

F.S. 110.1221

F.S. 250.481

F.S. 760.01

F.S. 760.10

F.S. 784.049

F.S. 1000.05

F.S. 1006.07

F.S. 1006.147

20 U.S.C. 1400 et seq., The Individuals with Disabilities Improvement Act of 2004, as amended (commonly known as the Individuals with Disabilities Act)

42 U.S.C. 2000d et seq.

42 U.S.C. 2000e et seq.

29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967

29 U.S.C. 794, Rehabilitation Act of 1973

29 C.F.R. Part 1635

29 U.S.C. 6101, The Age Discrimination Act of 1975

38 U.S.C. 4301 et seq., The Uniformed Services Employment and Reemployment Rights Act

42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

20 U.S.C. 1681 et seq.

42 U.S.C. 1983

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

Last Modified by Frankie St James on May 29, 2024

Book	Policy Manual
Section	Special Update March 2024 REVISED
Title	Copy of BULLYING AND HARASSMENT
Code	*po5517.01 fsj 5/29/24
Status	
Adopted	November 14, 2017

5517.01 - **BULLYING AND HARASSMENT**

Statement Prohibiting Bullying and Harassment

It is the policy of the School District that all of its students, District employees, and any other persons have an educational setting that is safe, secure, and free from harassment and bullying of any kind. Conduct that constitutes bullying and harassment, as defined herein, is prohibited.

Bullying and harassment of school employees shall be addressed in accordance with Policy 1362, Policy 3362, and Policy 4362 - *Anti-Harassment*.

Definition of Bullying and Harassment

Bullying is the mistreatment of an individual or group characterized by a willful intent to cause harm and a perceived advantage in power. These acts can be socially, emotionally, or physically damaging in nature and include, but are not limited to, teasing, name calling, rumor spreading, exclusion, intimidation, threats, damaging personal property, stealing, public or private humiliation, stalking, pushing, shoving, or other physical attacks, and sexual, religious, or racial/ethnic harassment.

Harassment involves any threatening, insulting, or dehumanizing act or gesture which places an individual in reasonable fear of harm to his or her person or damage to his or her property, has the effect of substantially interfering with an individual's educational performance, opportunities, or benefits, or has the effect of substantially disrupting the orderly operation of a school or activity.

Bullying or harassment of any individual is prohibited:

A. during any education program or activity conducted by a District school;

B. during any school-related or school-sponsored program/activity or on a School District bus;

C. through the use of computers or other electronic devices which is initiated or accessed by any School District data system; or within the scope of the School District, meaning regardless of ownership, any computer, computer system, or computer network that is physically located on school property or at a school-related or school-sponsored program or activity; or

D. through the use of data or computer software that is accessed at a non-school-related location, activity, function, or program or through the use of technology or an electronic device that is not owned, leased, or used by the School District or school, if the bullying substantially interferes with or limits the victim's ability to participate in or benefit from the services, activities, or opportunities offered by a school or substantially disrupts the education process or orderly operation of a school.

Item D above does not require a school to staff or monitor any non-school-related activity, function, or program.

Bullying and harassment encompasses retaliation against an individual by another for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered bullying and harassment. Bullying and harassment also encompasses any perpetuation of the above conduct listed in the definitions of bullying and harassment by any individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by:

A. incitement or coercion

B. accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the District school system

C. acting in a manner that has an effect substantially similar to the effect of bullying or harassment

Bullying and harassment also encompasses cyberbullying. Cyberbullying is defined as bullying through the use of technology or any electronic communication, which includes, but is not limited to, any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photo-electronic system, or photo-optical system, including, but not limited to, electronic mail, Internet communications, instant messages, or facsimile communications. Cyberbullying includes the creation of a webpage or weblog in which the creator assumes the identity of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying also includes the distribution by electronic means of a communication to more than one (1) person or the posting of material on an electronic medium that may be accessed by one (1) or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

Cyberstalking, as defined in F.S. 784.048(1)(d), means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose. Addition definitions in F.S. 815.03 are also applicable.

Description of the Type of Behavior Expected from Each Student and Employee of the School District

The School District expects students to conduct themselves as appropriate for their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.

The School District believes that standards for student behavior must be set cooperatively through interaction among the students, parents/legal guardians, staff, and community members producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for District and community property on the part of students, staff, and community members. Since students learn by example, school administrators, faculty, staff, and volunteers will demonstrate appropriate behavior, treat others with civility and respect, and refuse to tolerate bullying or harassment.

Consequences for a Student or School District Employee who Commits an Act of Bullying or Harassment

Concluding whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action. Consequences and appropriate remedial action for students who commit acts of bullying or harassment may range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the Code of Student Conduct. Consequences and appropriate remedial action for a school employee found to have committed an act of bullying or harassment may be disciplined in accordance with District policies, procedures, and agreements. Additionally, acts of harassment by certified educators may result in a sanction against an educator's state issued certificate. (See State Board of Education Rule F.A.C. 6B-1.006, *The Principles of Professional Conduct of the Education Profession in Florida*) Consequences and appropriate remedial action for a visitor or volunteer, found to have committed an act of bullying or harassment shall be determined by the school administrator after consideration of the nature and circumstances of the act. This may include an official trespass warning or a report to the appropriate law enforcement agency.

Consequences for a Student or Employee of the School District who is Found to have Wrongfully and Intentionally Accused Another of an Act of Bullying or Harassment

Consequences and appropriate remedial action for a student found to have wrongfully and intentionally accused another of bullying or harassment range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the Code of Student Conduct. Consequences and appropriate remedial action for a school employee found to have wrongfully and intentionally accused another as a means of bullying or harassment may be disciplined in accordance

with District policies, procedures, and agreements. Consequences and appropriate remedial action for a visitor or volunteer, found to have wrongfully and intentionally accused another of bullying or harassment shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to the appropriate law enforcement agency.

Procedure for Reporting an Act of Bullying or Harassment, Including Provisions that Permit a Person to Anonymously Report such an Act

At each school, the principal or the principal's designee is responsible for receiving complaints alleging violations of this policy. All school employees are required to report alleged violations of this policy to the principal or the principal's designee. All other members of the school community, including students, parents/legal guardians, volunteers, and visitors are encouraged to report any act that may be a violation of this policy anonymously or in-person to the principal or principal's designee.

Each school in the District shall establish and prominently publicize to students, staff, volunteers, and parents/legal guardians how a report of bullying or harassment may be filed either in-person or anonymously and how this report will be acted upon. The victim of bullying or harassment, anyone who witnessed the bullying or harassment, and anyone who has credible information that an act of bullying or harassment has taken place may file a report of bullying or harassment. A school employee, school volunteer, student, parent/legal guardian or other persons who promptly reports in good faith an act of bullying or harassment to the appropriate school official and who makes this report in compliance with the procedures set forth in the District policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident. Submission of a good faith complaint or report of bullying or harassment will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments.

Any written or oral reporting of an act of bullying or harassment shall be considered an official means of reporting such act(s). Reports may be made anonymously, but formal disciplinary action may not be based solely on an anonymous report.

Process to Investigate Whether a Reported Act of Bullying or Harassment is Within the Scope of the District School System and, if not, a Process for Referral of such an Act to the Appropriate Jurisdiction

Computers without web-filtering software or computers with web-filtering software that is disabled shall be used when complaints of cyberbullying are investigated.

A principal or designee who is trained in investigative procedures will initiate an investigation of whether an act of bullying or harassment is within the jurisdiction of the School District.

The principal or designee will provide a report on results of the investigation with recommendations for the principal to make a determination if an act of bullying or harassment falls within the jurisdiction of the District.

If it is within jurisdiction of the District, follow the procedures for investigating bullying and harassment under Procedure for the Prompt Investigation of a Report of Bullying or Harassment and the Persons Responsible for the Investigation below.

If it is outside jurisdiction of the District, and determined a criminal act, refer to appropriate law enforcement.

If it is within jurisdiction of the District and determined a criminal act, refer to appropriate law enforcement agency and do not proceed to investigation under Procedure for the Prompt Investigation of a Report of Bullying or Harassment and the Persons Responsible for the Investigation below until proper clearance by law enforcement.

If it is outside jurisdiction of the District, and determined not a criminal act, inform parents/legal guardians of all students involved.

Procedure for the Prompt Investigation of a Report of Bullying or Harassment and the Persons Responsible for the Investigation

The principal or designee who is trained in investigative procedures will initiate the investigation. The individual who conducts the investigation may not be the accused perpetrator (harasser or bully) or victim.

Documented interviews of the victim, alleged perpetrator, and witnesses are conducted privately, separately, and are confidential. Each individual (victim, alleged perpetrator, and witnesses) will be interviewed separately and at no time will the alleged perpetrator and victim be interviewed together.

The investigator shall collect and evaluate the facts including, but not limited to:

A. description of incident(s) including nature of the behavior and the context in which the alleged incident(s) occurred, etc.;

B. how often the conduct occurred;

C. whether there were past incidents or past continuing patterns of behavior;

D. the characteristics of parties involved (i.e., grade, age, etc.);

E. the identity and number of individuals who participated in bullying or harassing behavior;

F. where the alleged incident(s) occurred;

G. the date, time, and method in which the parents/legal guardians of all parties involved were contacted.

The investigation shall be completed in no more than ten (10) school days. The highest level of confidentiality possible will be upheld regarding the submission of a complaint or a report of bullying and harassment, and the investigative procedures that follow.

The investigation of a reported act of bullying or harassment is deemed to be a school-related activity and begins with a report of such an act. Incidents that require a reasonable investigation when reported to appropriate school authorities shall include alleged incidents of bullying or harassment allegedly committed against a child while the child is en route to school aboard a school bus or at a school bus stop.

The physical location or time access of a computer-related incident cannot be raised as a defense in any disciplinary action initiated.

Procedure for Providing Immediate Notification to the Parents/Legal Guardians of a Victim of Bullying or Harassment and the Parents/Legal Guardians of the Perpetrator of an Act of Bullying or Harassment as well as, Notification to All Local Agencies where Criminal Charges may be Pursued against the Perpetrator

The principal, or designee, shall promptly report via telephone, personal conference, or in writing, the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident(s) has been initiated. Notification must be consistent with the student privacy rights under the applicable provisions of the *Family Educational Rights and Privacy Act of 1974* (FERPA).

If the bullying incident results in the perpetrator being charged with a crime, the principal, or designee, shall by telephone or in writing by first class mail, inform parents/legal guardian of the victim(s) involved in the bullying incident about the unsafe school choice option (No Child Left Behind, Title IX, Part E, Subpart 2, Section 9532) that states "...a student who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school.".

Once the investigation under Process to Investigate Whether a Reported Act of Bullying or Harassment is within the Scope of the District School System and, if not, a Process for Referral of such an Act to the Appropriate Jurisdiction above by the school has been completed and it has been determined that criminal charges may be pursued against the perpetrator, all appropriate local law enforcement agencies will be notified by telephone or in writing.

Procedure to Refer Victims and Perpetrators of Bullying or Harassment for Counseling

Any teacher or parent/legal guardian may request informal consultation with school staff (e.g., school counselor or other District student services staff) to determine the severity of concern and appropriate steps to address the concern (the involved students' parents or legal guardian may be included).

The referral process to provide professional assistance or services shall include a process by which school personnel or parent/legal guardian may refer a student to a school intervention team with a problem-solving focus for consideration of appropriate services. Parent or legal guardian notification is required at this point.

If a formal discipline report or formal complaint is made, the principal or designee must make a determination based on interview questions or observation as to the need for a referral to victim services provided within the school. Further assessment by school counselor or other District student services staff may warrant community referrals, at which time parent involvement is required.

A school-based component to address intervention and assistance as determined appropriate by the intervention team will include:

A. counseling and support to address the needs of the victims of bullying or harassment

B. research-based counseling/interventions to address the behavior of the students who bully and harass others (e.g., empathy training, anger management)

C. research-based counseling/interventions which includes assistance and support provided to parents/legal guardians, if deemed necessary or appropriate

Any change in services for students with disabilities eligible under IDEA will be determined by an IEP team.

Procedure for Including Incidents of Bullying or Harassment in the School's Report of Data Concerning School Safety and Discipline Data Required under F.S. 1006.09(6)

The School District will utilize Florida's School Environmental Safety Incident Reporting (SESIR) Statewide Report on School Safety and Discipline Data, which includes bullying/harassment as an incident code as well as bullying-related as a related element code.

Any incident of bullying or harassment will not be reported as a SESIR violation unless it meets the following definition:

> *The SESIR definition of bullying is systematically and chronically inflicting physical hurt or psychological distress on one (1) or more students or employees that is severe or pervasive enough to create an intimidating, hostile, or offensive environment; or unreasonably interfere with the individual's school performance or participation. The SESIR definition of harassment is any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that 1) places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property; 2) has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or 3) has the effect of substantially disrupting the orderly operation of a school including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose.*

If a bullying or harassment incident occurs and meets the above definition, then it will be reported in SESIR with either the bullying or harassment code. If the bullying or harassment results in any of the following SESIR incidents the incident will be coded appropriately using the relevant incident code AND the related element code entitled bullying-related. Those incidents are:

A. alcohol

B. arson

C. battery

D. breaking and entering

E. disruption on campus

F. drug sale/distribution excluding alcohol

G. drug use/possession excluding alcohol

H. fighting

I. homicide

J. kidnapping

K. larceny/theft

L. robbery

M. sexual battery

N. sexual harassment

O. sexual offenses

P. threat/intimidation

Q. trespassing

R. tobacco

S. vandalism

T. weapons possession

U. other major (other major incidents that do not fit within the other definitions)

Discipline and referral data will be recorded in Student Discipline/Referral Action Report and Automated Student Information System for acts of bullying.

The District will provide bullying incident, discipline, and referral data to the Florida Department of Education in the format requested, through Surveys 2, 3 and 5 from Education Information and Accountability Services, and at designated dates provided by the department. Data reporting on bullying, harassment, unsubstantiated bullying, unsubstantiated harassment, sexual harassment and threat/intimidation incidents as well as any bullying-related incidents that have as a basis sex, race, or disability should include the incident basis. Victims of these offenses should also have the incident basis (sex, race, or disability) noted in their student record.

Procedure for Providing Instruction to Students, Parents/Legal Guardians, Teachers, School Administrators, Counseling Staff, and School Volunteers on Identifying, Preventing, and Responding to Bullying or Harassment, Including Instruction on Recognizing Behaviors that Lead to Bullying and Harassment and Taking Appropriate Preventive Action Based on those Observations

The District ensures that schools sustain healthy, positive, and safe learning environments for all students. It is important to change the social climate of the school and the social norms with regards to bullying. This requires the efforts of everyone in the school environment – teachers, administrators, counselors, school nurses, other non-teaching staff (such as bus drivers, custodians, cafeteria workers, or school librarians), parents/legal guardians, and students.

Students, parents/legal guardians, teachers, school administrators, counseling staff, and school volunteers shall be given instruction at a minimum on an annual basis on the District's policy and regulations against bullying and harassment. The instruction shall include evidence-based methods of preventing bullying and harassment, as well as how to effectively identify and respond to bullying in schools.

Procedure for Regularly Reporting to a Victim's Parents/Legal Guardians the Actions Taken to Protect the Victim

The principal or designee shall by telephone or in writing report the occurrence of any incident of bullying as defined by this policy to the parent or legal guardian of all students involved within twenty-four (24) hours of the initiation of an investigation of the incident. According to the level of infraction, parents/legal guardians will be notified by telephone or writing of actions being taken to protect the child. The frequency of notification will depend on the seriousness of the bullying or harassment incident. Notification must be consistent with the student privacy rights under the applicable provisions of FERPA.

Procedure for Publicizing the Policy which must Include its Publication in the Code of Student Conduct Required under F.S. 1006.07(2) and in All Employee Handbooks

At the beginning of each school year, the Superintendent or designee shall, in writing, inform school staff, parents/legal guardians, or other persons responsible for the welfare of a student of the District's student safety and violence prevention policy.

Each District school shall provide notice to students and staff of this policy through appropriate references in the code of student conduct and employee handbooks, or through other reasonable means. The Superintendent shall also make all contractors contracting with the District aware of this policy.

Each school shall develop an annual process for discussing the School District policy on bullying and harassment with students in a student assembly or other reasonable format. Reminders of the policy and bullying prevention messages such as posters and signs will be displayed around each school and on the District school buses.

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Legal

F.S. 110.1221

F.S. 784.048

F.S. 1002.20

F.S. 1006.13

F.S. 1006.147

Florida Department of Education Revised Model Policy (July 2013)

No Child Left Behind (NCLB), Title IX, Part E, Subpart 2, Section 9532

Book	Policy Manual
Section	Special Update March 2024 REVISED
Title	Copy of CURRICULUM DEVELOPMENT
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Adopted	June 27, 2017
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2210 - **CURRICULUM DEVELOPMENT**

The School Board shall adopt the general scope of the curriculum program in accordance with State laws and regulations. The Superintendent shall develop the District curriculum for the review and approval of the Board. The School District's curriculum shall be aligned with Florida statutes and with the Florida Department of Education guidelines and shall be based on the following:

A. student standards as designated by the State of Florida

B. State course descriptions

C. assessments including screening, diagnostics, and formative assessments

D. analysis of assessment results including the results of progress monitoring

E. students' needs as determined by studies, surveys, and continuous evaluation of curriculum effectiveness

Classroom instruction is delivered to reflect:

A. standards-based lessons, standards-based lesson plans and activities;

B. alignment of curriculum, instruction, and assessment;

C. principles of effective instructional design;

D. classroom decisions based on periodic progress monitoring;

E. classroom assessments that drive the instructional process; and

F. evaluation of student work and the assignment of grades based on achievement of the District curriculum standards.

All course materials and verbal or visual instruction shall conform to the requisites and intent of all Florida statues, State Board of Education rules, and District curriculum and instructional programs. All instructional materials including teachers' manuals, audiovisual, or other supplementary instructional material shall be available at individual schools for inspection by parents or guardians of the children engaged in such classes.

Schools shall implement the K-12 District curriculum. Schools shall make sure that students with disabilities have access to the District curriculum to the greatest extent possible with appropriate accommodations and modifications.

Any modification of the curriculum at the school level must be submitted to the Deputy Superintendent for Instructional Services on the Curriculum Modification Request Form according to the District timeline and included in the school improvement plan for the school.

Teachers develop and implement standards-based lesson plans that:

A. identify content standards and benchmarks;

B. identify desired results;

C. determine acceptable evidence of achieving the desired results;

D. plan effective and engaging learning experiences and instruction;

E. evaluate the effectiveness of instruction and make modifications.

Required instruction shall include content in the areas of health and physical education, substance abuse prevention, violence prevention, character education, Veterans' sacrifices, patriotism, African American, women's and Hispanic contributions, Holocaust education, and all other content designated by statute. Community groups or organizations that seek to make presentations to students at the school site or as part of any school-related activity should contact the principal at the site. Principals shall refer all such requests to the appropriate level executive director who may request review by the health education advisory committee through the District curriculum team. The health education advisory committee may review such requests pursuant to the health education guidelines.

Parents or guardians have the right to review instructional materials. Principals shall make all materials, including textbooks, audiovisual materials, or other supplementary instructional materials, available for inspection upon request.

System of Comprehensive Reading Instruction

The District will implement a system of comprehensive reading instruction for students enrolled in prekindergarten through grade 12 and certain students who exhibit a substantial deficiency in early literacy. Annually, the Superintendent will develop and submit to the Board for approval a detailed reading instruction plan that outlines the components of the District's comprehensive system of reading instruction in accordance with F.S. 1003.4201 and F.A.C. 6A-6.053.

The ~~plan~~District's Comprehensive Evidence-Based Reading Plan (CERP) will include all District schools, including charter schools, unless a charter school elects to submit a plan independently from the District. The CERP shall also describe how the District prioritizes the assignment of highly effective teachers, as identified in F.S. 1012.34, to kindergarten through grade 2 and how reading coaches are assigned to individual schools. These two (2) provisions shall be approved by the Just Read, Florida Office. Once approved, the ~~reading instruction plan~~CERP, and any approved CERPs for each charter school sponsored by the District, will be submitted as required to the Florida Department of Education and Just Read, Florida! by August 1st.

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

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F.S. 120.54

F.S. 120.536(1)

F.S. 120.81(d)

F.S. 1001.215

F.S. 1001.41

F.S. 1001.42

F.S. 1001.51

F.S. 1003.41

F.S. 1003.4156

F.S. 1003.42

F.S. 1003.4201

F.S. 1003.4203

F.S. 1003.4205

F.S. 1003.421

F.S. 1003.4281

F.S. 1003.4282

F.S. 1003.4285

F.S. 1003.4286

F.S. 1003.4295

F.S. 1003.432

F.S. 1003.433

F.S. 1003.435

F.S. 1003.436

F.S. 1003.437

F.S. 1003.44

F.S. 1003.45

F.S. 1003.4505

F.S. 1003.451

F.S. 1003.453

F.S. 1003.455

F.S. 1003.46

F.S. 1003.47

F.S. 1004.64

F.S. 1008.22

F.S. 1008.23

F.S. 1008.25

F.S. 1008.34

F.S. 1011.62

Chapter I of Education Consolidation and Improvement Act of 1981

P.L. 97-35

F.A.C. 6A-6.053

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2271 - **ARTICULATION AND ACCESS TO FLORIDA COLLEGE SYSTEM INSTITUTIONS**

Postsecondary Enrollment Programs

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

Students in grades 6 through 12 who meet eligibility criteria established under Florida law and by the State Board of Education may enroll in approved postsecondary programs while in attendance in the District. Secondary students participating in Career and Career Certificate Dual Enrollment will have the opportunity to earn industry certification. All Career Dual Enrollment courses under the Career Dual Enrollment Articulation Agreement will be weighted equally as Advanced Placement (AP) courses and will count towards high school graduation. (F.S. 1007.271(21)(c)) The District will pay for the cost of instructional materials for public high school students who are earning credit toward graduation under the dual enrollment program.

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

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

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

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

Early College Program

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

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

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

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

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

A. expanded curriculum offerings;

B. opportunities to study in more depth those areas of special interest or need;

C. opportunities to earn college credits while still in high school;

D. opportunities for financial support for taking college courses while still in high school; and

E. opportunities to experience college-level work and life prior to making final decisions about whether and/or where to attend college.

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

A. increased student responsibility for learning because of less instructional guidance;

B. reduced opportunities to participate in high school co-curricular and extra-curricular activities;

C. increased financial obligations for tuition, books, materials, and fees, if college credit only is sought;

D. potential loss of after-school employment opportunities;

E. possible effect on grade point average and class standing;

F. possible delay of graduation;

G. increased time for travel, study, etc.; and

H. exposure to mature subject matter and materials, including those of a graphic, explicit, violent, or sexual nature that will not be modified because of the student's participation.

Career Pathways Agreements Between Career Centers and Florida College System Institutions

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

A. outline certificate program completion requirements and any licenses or industry certifications that must be earned before enrolling in an associate degree program;

B. specify that articulated college credit will be awarded in accordance with the agreement upon initial enrollment in the associate degree program;

C. guarantee college credit toward an aligned associate degree program for students who graduate from a career center with a career or technical certificate and meet specified requirements in accordance with the terms of the agreement;

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

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

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Technical Correction 4/23/24

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Legal

F.S. 1007.233

F.S. 1007.27

F.S. 1007.271

F.S. 1007.273

F.S. 1008.44

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

F.A.C. 6A-20.007

Book	Policy Manual
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Title	Copy of STUDENT RECORDS
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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

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

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

C. "Online educational service" means computer software, mobile applications (apps), and web-based tools that students or parents are required to use and access through the internet and as part of a school activity or function. Examples include online services that students or parents use to access class readings, assignments, or videos, to view learning progression, or to complete assignments. This does not include online services that students or parents may use in their personal capacity or to online services that districts or schools may use to which students or parents do not have access, such as a district student information system.

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

E. "Personally identifiable information" or "PII" means information that can be used to distinguish or trace a student's identity either directly or indirectly through linkages with other information, as defined in 34 CFR §99.3. PII includes, but is not limited to, direct identifiers (such as a student's or other family member's name), indirect identifiers (such as a student's date of birth, place of birth, or mother's maiden name), and other personal identifiers (such as a student's social security number or Florida Education Identifier (FLEID) number). PII also includes information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

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

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

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

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

Maintenance of Student Records

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

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

Information contained in student education records shall be classified as set forth in F.A.C. 6A-1.0955 and retained in accordance with the rule and this policy.

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

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

B. Category B Records, Information which is subject to periodic review and elimination when the information is no longer useful in the manner prescribed by F.S. 1001.52

1. Health information, family background data, standardized test scores, State-mandated achievement test scores, educational and career plans, honors and activities, work experience reports, and teacher comments.
2. Reports of student services or exceptional student staffing committees including all information required by F.S. 1001.42.
3. Correspondence from community agencies or private professionals.
4. Discipline records.
5. School Environmental Safety Incident Reports (SESIR) collected under F.S. 1006.07.
6. Threat assessments done by the threat assessment team pursuant to F.S. 1006.07, subject to the following:

   Threat management. All reports of concerning behavior, concerning communications, or threats documented using the Florida Harm Prevention and Threat Management Instrument prescribed by F.A.C. 6A-1.0019, are Category B records and shall be maintained in a student's file as long as determined useful by a threat management team, pursuant to F.S. 1006.07(7), and F.A.C. 6A-1.0019. These records include all corresponding documentation and any additional information required by the Florida Model for threat management related to the reporting, evaluation, intervention, and management of threat assessment evaluations and intervention services.

7. A list of schools attended.
8. Written agreements of corrections, deletions, or expunctions as a result of meetings or hearings to amend educational records.

9. Academic and behavioral intervention services.
10. Psychological evaluations.
11. Therapeutic treatment plans and therapy progress notes.
12. Such other records of educational importance as the school shall deem necessary.
13. Records designated for retention by the Florida Department of State in General Records Schedule GS7 for *Public Schools Pre-K - 12, Adult and Vocational/Technical*.

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

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

Periodic review for 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.

Requests to Deviate from Students Legal Name

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

Access to Student Records

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

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

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

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

In instances where records are opened to parents, guardians, or eligible students, schools shall make available a member of the professional staff to interpret the record and shall provide copies, upon request and payment of the current District copy rate, which shall not exceed the maximum rate for copies of public records as set forth in F.S. Chapter 119.

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

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

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

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

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

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

Court Request of Records

A. Student records may be disclosed to a court of competent jurisdiction provided that reasonable notification is given in advance to the parents and student. If the District's General Counsel 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.

B. 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.

A. Prior Written Consent

1. Prior written consent of the parent, guardian, or eligible student shall be obtained prior to disclosing personally identifiable student information other than directory information. The written consent shall include: signature of the parent, guardian, or eligible student; date; specification of records or information to be disclosed; purpose of the disclosure; and the party or class of parties to whom a disclosure is to be made.

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

B. Without Prior Written Consent

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

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

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

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

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

   This written agreement must include:

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

   b. specification of the information to be disclosed;

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

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

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

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

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

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

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

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

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

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

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

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

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

9. Appropriate parties in connection with an emergency, if knowledge of the information in the student's educational records is necessary to protect the health or safety of the student or other individuals.

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

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

notified of the order or subpoena in advance of compliance therewith by the educational institution or agency.

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

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

13. Parties to an interagency agreement among the Department of Juvenile Justice, school and law enforcement authorities, and other signatory agencies for the purpose of reducing juvenile crime and especially motor vehicle theft by promoting cooperation and collaboration, and the sharing of appropriate information in a joint effort to improve school safety, to reduce truancy and in-school and out-of-school suspensions, and to support alternatives to in-school and out-of-school suspensions and expulsions that provide structured and well supervised educational programs supplemented by a coordinated overlay of other appropriate services designed to correct behaviors that lead to truancy, suspensions, and expulsions, and that support students in successfully completing their education. Information provided in furtherance of such interagency agreements is intended solely for use in determining the appropriate programs and services for each juvenile or the juvenile's family, or for coordinating the delivery of such programs and services, and as such is inadmissible in any court proceedings prior to a dispositional hearing unless written consent is provided by a parent or other responsible adult on behalf of the juvenile.

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

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

16. Directory information as specified in this policy.

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

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

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

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

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

C. Record of Disclosures

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

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

and/or those specified in the law.

D. Disclosures - Health or Safety Emergencies

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

DIRECTORY INFORMATION

The District may 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

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

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

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

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

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

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

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

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

Additional Safeguards for Student Education Records

A. Any entity receiving personally identifiable information pursuant to a study, audit, evaluation, or enforcement/compliance activity must comply with all FERPA regulations. Further, such an entity must enter into a written contract with the Board delineating its responsibilities in safeguarding the disclosed information. Specifically, the entity must demonstrate the existence of a sound data security plan or data stewardship program, and must also provide assurances that the personally identifiable information will not be re-disclosed without prior authorization from the Board. Further, the entity conducting the study, audit, evaluation, or enforcement/compliance activity is required to destroy the disclosed information once it is no longer needed or when the timeframe for the activity has ended, as specified in its written agreement with the Board. See Form 8330 F14 and Form 8330 F16 for additional contract requirements.

B. Required use of online educational services by students and parents

In order to protect a student's PII from potential misuse and in order to protect students from data mining or targeting for marketing or other commercial purposes, the Board requires the review and approval of any online educational service that students or their parents are required to use as part of 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:

1. 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;

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

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

4. If student PII will be collected by the online educational service, parents and eligible students will be provided 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.

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

6. 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.

C. Contracts or agreements with third-party vendors

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

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

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

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

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

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

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

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

c. the disclosure is authorized by written consent of an eligible student or parent. Consent must include, at a minimum, an explanation of who the student PII would be disclosed to, how it would be used, and whether re-disclosure is permitted. Any re-disclosure must meet the requirements of F.A.C. 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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F.S. Chapter 119

F.S. 1001.41

F.S. 1001.52

F.S. 1002.22

F.S. 1002.221

F.S. 1002.222

F.S. 1003.25

F.A.C. 6A-1.0955

F.A.C. 6A-1.09550

20 U.S.C. 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

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 transportation services, inspections, and screening requirements shall be in accordance with Florida statute.

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

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

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

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

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

C. Elementary students in kindergarten through sixth grade who must walk through an area that meets the State criteria for hazardous walking conditions or area designated by the Board.

D. Elementary students residing within two (2) miles of their school may be provided bus transportation at the discretion of the Superintendent. 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.

Parents of students who become or are determined to be non-eligible for school bus transportation shall be notified.

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 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.

Duties and Responsibilities of the Director of Transportation

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

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

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

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

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

Duties and Responsibilities of the Principal

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

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

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

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

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

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

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

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

Duties and Responsibilities of the Bus Operator

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

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

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

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

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

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

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

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

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

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

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

L. Instruct transported students in safe riding practices.

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

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

O. Use the bus, if it is publicly owned, only to transport students to and from school, except upon specific direction of the Superintendent or the Principal upon written authorization by the Superintendent.

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

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

R. 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.

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

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

U. 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.

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

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

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

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

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

2. complaints requiring attention of school authorities;

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

4. causes for failure to maintain school bus time schedule; and

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

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

AA. Maintain as far as practicable by patient and considerate treatment of parents 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:

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

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

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

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

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

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

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

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

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).

A school bus equipped with a school bus infraction system must meet the specifications set forth in F.A.C. 6A-3.003.

No individual is permitted to receive a commission from any revenue collected from violations detected through the use of the District's system. In the event the District contracts with a vendor or manufacturer to install a school bus infraction detection system on any school bus or operate and maintain the system, such vendor or manufacturer is not permitted to receive a fee or renumeration based upon the number of violations detected through the use of a school bus infraction detection system.

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.

Revised 5/9/23

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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.A.C. Chapter 6A-3

Last Modified by Frankie St James on December 5, 2023

8600.04 - **BUS OPERATOR QUALIFICATIONS, CERTIFICATION, DISCIPLINE, AND TERMINATION**

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Purpose

The safety and welfare of District students is of paramount importance to the School Board and transportation personnel of the District are charged with the responsibility of student transportation safety. Thus, it is essential that school buses be operated by properly qualified and licensed drivers who meet all other requirements of State and Federal laws, State Board rules, and Board policies for the transport of students.

Applicants

The Board requires that each applicant for a bus operator's position possess a valid Florida Commercial Driver's License Class B with Passenger and School Bus Endorsements, together with an acceptable driving record, a current valid US DOT medical examiner's certificate, and such other licenses and endorsements as may be required by applicable law and regulation, and meet all other minimum qualifications as may be required by Federal law, State law, State Board Rule, Board policy, and the District's safe driver plan. The driving record of all applicants shall be obtained from the Florida Department of Highway Safety and Motor Vehicles (DHSMV) and reviewed by the District as and when required by law to verify an acceptable driving history and compliance with the standards of this policy and applicable law and regulation.

At the time of initial employment, the Board shall require that the operator of a school bus meet the following requirements:

A. has five (5) years of licensed driving experience;

B. has submitted to the Superintendent a written or electronic application for employment in a form prescribed by the Board; and

C. has filed a set of fingerprints for the purpose of the required background check for determining criminal record.

An applicant who is determined by the criminal background check required of all applicants to have been convicted of a crime of moral turpitude shall not be employed as a school bus operator.

Persons applying for the position of school bus operator will not be hired if, according to the District's *Safe Operator Plan*, they have more than five (5) points in the last year, more than ten (10) points in the last three (3) years, or been chargedonvicted of driving under the influence (DUI) in the last (7) years. All substitute operator applicants will have their records reviewed. If their records cannot pass these criteria, they will not be hired. If an employee is terminated as an operator due to a poor driving record, s/he will not be considered for re-

employment as an operator until s/he establishes at least one (1) twenty-fourtwelve (2412) month period of zero points in accordance with this plan.

Employees

Prior to transporting students on a school bus each operator shall meet the following requirements:

A. hold a valid commercial driver's license with a passenger endorsement and a school bus endorsements;

B. successfully complete forty (40) hours of preservice training which must include certified cardiopulmonary resuscitation (CPR) and first aid training, and must consist of at least twenty (20) hours of classroom instruction and eight (8) hours of behind-the-wheel training. The classroom instruction and behind-the-wheel training shall be based upon the Florida Department's of Education's Basic School Bus Operator Curriculum, Revised 202106;

C. demonstrate the ability to prepare required written reports;

D. be physically capable of operating the vehicle as determined by US DOT physical examination, given by a physician designated by the Board, and as determined by a dexterity test administered by the District;

E. demonstrate physical and mental capabilities required to carry out all assigned responsibilities as a school bus operator; and

F. meets the qualifications described in 49 C.F.R. Part 391, relating to physical qualifications and examination, which includes the physical standards established by the Federal Motor Carrier Safety Administration pursuant to 49 C.F.R. Sections 391.41 and 391.43

The District shall issue a certificate of training to each operator who successfully completes the forty (40) hours of preservice training provided by the DistrictCommissioner.

In addition to the requirements set forth above, a bus operator employed by the Board shall at all times during the term of their employment maintain an acceptable driving record, possess a current valid medical examiner's certificate, hold such other licenses and endorsements as may be required by applicable law and regulation, and meet all other minimum qualifications as may be required by Federal law, State law, State Board rule, Board policy, and the District's safe driver plan.

It is the intent of this Board to protect its students from drivers whose certification is invalidated under Florida law or the District's safe driver plan. Any employee who operates a school bus with a license s/he knows, or should have known, is

suspended or revoked shall be subject to discipline, up to and including termination.

The driving record of all school bus operators shall be obtained and reviewed prior to each fall semester, and shall be subject to continuous screening by using the Motor Vehicle Operator Tracking and Reporting System (MOTRS) through the Florida Department of Highway Safety and Motor Vehicles~~or Vehicles and Highway Safety~~ database.

Any bus operator whose driving record is found to include a plea of guilty, nolo contendere, or adjudication withheld of guilt for any of the following infractions shall be subject to disciplinary action up to and including termination in accordance with the District's *Safe Driver Plan*.

In addition, a bus operator who violates Board policies regarding the unnecessary idling of school buses or using a wireless communication device while operating a school bus shall be subject to disciplinary action in accordance with the District's safe driver plan.

All bus operators must conform to the provisions of 49 C.F.R., Part 40 and Part 382, relating to the substance abuse testing and alcohol detection program. A driver testing positive for a controlled substance under the provisions noted above shall be terminated from school bus driving duties.

~~All bus operators are required to sign a driver's license status statement for each pay period, attesting that bus operator has not received any point violation in the interim. Falsification may result in disciplinary action, up to and including termination.~~

All bus operators are required to submit to follow-up criminal background checks in accordance with State law.

At least annually, the Board shall require that each operator of a school bus meets the following requirements:

A. successfully complete the requirements prescribed by this policy;

B. successfully complete a minimum of eight (8) hours of in-service training related to the operator's responsibilities for transporting students; which may include training hours from the required certified CPR and first aid training, pursuant to F.A.C. Rule 6A-3.0121;

C. successfully pass a dexterity test administered by the District and maintain a valid Medical Examiners Certificate verifying that the operator meets the requirements of 49 C.F.R. Part 391.

At the time of reemployment, the Board shall assure that each school bus operator meets all of the requirements contained herein. If not more than a twelve (12)

continuous calendar month break in service has occurred, an operator shall be required to complete eight (8) hours of in-service training related to their responsibilities for transporting students prior to driving a school bus with students. If a period exceeding twelve (12) calendar months has occurred, the operator shall be required to successfully complete all of the requirements of this policy.

Revised 7/27/21
Revised 9/28/21

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F.S. 316.305
F.S. 316.306
F.S. 1012.45
F.S. 1012.465
F.S. Chapter 316
F.S. Chapter 1006
F.A.C. 6A-3.0121
F.A.C. 6A-3.0141
F.A.C. 6A-3.0171
49 C.F.R. Part 40
49 C.F.R. Part 382
49 C.F.R. Part 391

Last Modified by Juli Schlarb on March 6, 2023

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8651 - BOARD-OWNED OR LEASED VEHICLES

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It shall be the policy of the School Board that employee use of Board-owned or leased vehicles shall be limited to those employees whose duties require such use.

An employee may be assigned a vehicle if, in the judgment of the Superintendent, specific work circumstances require it.

The employee will use the assigned Board-owned or leased vehicle for official Board business only, and will return the Board-owned or leased vehicle to District property upon completion of his/her assigned duties daily.

Unauthorized use of Board-owned or leased vehicles will be cause for disciplinary action.

Employees who use a Board-owned or leased vehicle shall notify their supervisor as to any accident or mechanical defect experienced with the vehicle. The Transportation Director shall arrange for necessary repairs to be made.

Failure to report an accident or a mechanical defect experienced when operating a Board-owned or leased vehicle may be cause for disciplinary action.

The Superintendent shall require that all Board-owned or leased vehicles are inspected at regular intervals. The vehicles shall be placed in the District's garage(s) for repairs or service if needed.

The Board shall not assume any financial responsibility for any contract for repairs by or purchase of repairs from a private shop or a private individual unless prior approval is obtained from the Superintendent.

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F.S. 1006.21

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~~**Last Modified by Juli Schlarb on March 6, 2**~~

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AGENDA ITEM NO. 4.e

School Board of Manatee County
July 30, 2024 - Special Meeting and Public Hearing
Action Item

Title
Approval to Adopt New Policy and Amend School Board Policies

Executive Summary
The purpose of the requested amendment is to update the following School Board policies to conform to current legislation and statutes.

*Please note that current Policies 1217, 3217, 4217 will not be rescinded, current Policy 5772 will not be revised, and New Policy 7217 will not be considered.

Policies 1210, 3210, 4210
Policies 1242, 3242, 4242
Policies 1362, 3362, 4362
Policy 2120
Policy 2210
Policy 2271
Policy 5517.01
Policy 7540
Policy 7540.04
Policy 8305
Policy 8330
Policy 8405
Policy 8600
Policy 8600.04
Policy 8651

This item aligns with the District's Strategic Plan Goal(s) which state(s):

Ready To Grow | Goal 3
Develop an innovative leadership development program and succession-planning model to attract and support quality school and District leaders

Ready To Grow | Goal 5
Continue our secure financial position, utilize referendum millage funds effectively, and modernize and enhance our current schools to meet our school community needs, including building vibrant, new schools

Ready To Grow | Goal 7
Promote our schools and District as remaining highly competitive and uniquely designed to produce top-notch graduates, great neighbors, and responsible citizens

Recommendation
The Superintendent recommends approval to adopt new policy and amend School Board policies.

Financial Impact
No financial impact.

Contact

Submitting Department: Administration
Initiated by: Kevin Chapman

Attachments:
Policies July 30 Part 1
Policies July 30 Part 2
Policies July 30 Part 3
Policies July 30 Part 4

Approval of Advertising a Notice of Intent to Amend School Board Policies and Setting a Public Hearing at the Board Meeting on July 30, 2024

Policy 1210, 3210, 4210 – Standards of Ethical Conduct – (Revised)
The revisions to these policies are based on F.A.C. Rule 6A-10.081 (Principles of Professional Conduct for the Education Profession in Florida). The rule expands the list of obligations to the student to include prohibitions related to classroom instruction on sexual orientation or gender identity, discouraging parental notification and involvement, violating F.S. 553.865 as it relates to entering restrooms and changing facilities designated for the opposite sex, and violating F.S. 1000.071.

Policy 2120 – School Improvement (Revised)
Policy 2120 includes reference to ne F.A.C. Rule 6A-6.0533 (Determining a Substantial Math Deficiency). The new rule lists the criteria for a substantial deficiency in math for grades K-4

Policy 7540 – Technology (Revised)
SDMC updated this policy

Policy 7540.04 – Staff Technology Acceptable Use and Safety (Revised)
SDMC updated this policy

Policy 8305 – Information Security (Revised)
The revisions to Policy 8305 incorporate language from new F.A.C. Rule 6A-1.09550.

Policy 8405 – School Safety and Security (Revised)
The revisions to this policy are based on the requirements set forth in new F.A.C. Rule 6A-1.0019 (Threat Management). The revisions include referencing new terminology (i.e. "Florida Model Instrument") and adding new reporting requirements.

1210 - STANDARDS OF ETHICAL CONDUCT

For purposes of this policy, the term administrator means all certificated and noncertificated administrators.

Administrators shall be guided by and adhere to the following ethical principles:

A. The administrator values the worth and dignity of every person, the pursuit of truth, devotion to excellence, acquisition of knowledge, and the nurture of democratic citizenship. Essential to the achievement of these standards are the freedom to learn and to teach and the guarantee of equal opportunity for all.

B. The administrator's primary professional concern will always be for the student and for the development of the student's potential. The administrator will, therefore, strive for professional growth and will seek to exercise the best professional judgment and integrity.

C. The administrator strives to achieve and sustain the highest degree of ethical conduct because s/he is aware of the importance of maintaining the respect and confidence of one's colleagues, of students, of parents, and of other members of the community.

District administrators shall comply with the following disciplinary principles. Violation of any of these principles shall subject the individual to revocation or suspension of the individual administrator's certificate, or the other penalties as provided by law, as well as disciplinary action, including but not limited to termination of employment.

A. An administrator's obligation to the District requires that the District administrator shall:

1. make a reasonable effort to protect the student from conditions harmful to learning and/or to the student's mental and/or physical health and/or safety;

2. not unreasonably restrain a student from independent action in pursuit of learning;

3. not unreasonably deny a student access to diverse points of view;

4. not intentionally suppress or distort subject matter relevant to a student's academic program;

5. not intentionally provide classroom instruction to students in ~~kindergarten~~prekindergarten through grade ~~3~~8 on sexual orientation or gender identity, except when required by F.S. 1003.42(2)(n)3. and 1003.46;

6. not intentionally provide classroom instruction to students in grades 9 through 12 on sexual orientation or gender identity unless such instruction is required by State academic standards as adopted in F.A.C. 6A-1.09401, as is part of a reproductive health course or health lesson for which a student's parent has the option to have their student not attend;

7. not intentionally violate or deny a student's legal rights;

8. not discourage or prohibit parental notification of and involvement in critical decisions affecting a student's mental, emotional, or physical health or well-being unless the individual reasonably believes that disclosure would result in abuse, abandonment, or neglect as defined in F.S. 39.01;

9. not harass or discriminate against any student on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition, sexual orientation, or social and family background and shall make reasonable efforts to assure that each student is protected from harassment or discrimination; discrimination on the basis of race, color, national origin, or sex includes subjecting any students to training or instruction that espouses, promotes, advances, inculcates, or compels such student to believes any of the concept listed in F.S. 1000.05(4)(a);

10. not exploit a relationship with a student for personal gain or advantage;

11. keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law;

12. take reasonable precautions to distinguish between personal views and those of any educational institution or organization with which the individual is affiliated;

13. not violate F.S. 553.865(9)(b), which relates to entering restrooms and changing facilities designated for the opposite sex on the premises of an educational institution; and,

14. not violate F.S. 1000.071, which relates to the use of personal titles and pronouns in educational institutions.

15. not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression;

16. not use institutional privileges for personal gain or advantage; (see also Policy 1129, Conflict of Interest)

17. accept no gratuity, gift, or favor that might influence professional judgment; (see also Policy 1129, Conflict of Interest)

18. offer no gratuity, gift, or favor to obtain special advantages; (see also Policy 1129, Conflict of Interest)

19. maintain honesty in all professional dealings;

20. not on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition if otherwise qualified, or social and family background deny to a colleague professional benefits or advantages or participation in any professional organization;

21. not interfere with a colleague's exercise of political or civil rights and responsibilities;

22. not engage in harassment or discriminatory conduct which unreasonably interferes with an individual's performance of professional or work responsibilities or with the orderly processes of education or which creates a hostile, intimidating, abusive, offensive, or oppressive environment; and, further, shall make reasonable efforts to assure that each individual is protected from such harassment or discrimination;

23. not make malicious or intentionally false statements about a colleague;

24. not use coercive means or promise special treatment to influence professional judgments of colleagues;

25. not misrepresent one's own professional qualifications;

26. not submit fraudulent information on any document in connection with professional activities;

27. not make any fraudulent statement or fail to disclose a material fact in one's own or another's application for a professional position;

28. not withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment;

29. provide upon the request of a certificated individual a written statement of the specific reason for recommendations that lead to the denial of increments, significant changes in employment, or termination of employment;

30. not assist entry into or continuance in the profession of any person known to be unqualified in accordance with these *Principles of Professional Conduct for the Education Profession in Florida* and other applicable Florida statutes and State Board of Education rules;

31. self-report within forty-eight (48) hours to appropriate authorities (as determined by the District) any investigations involving the Department of Children and Families and any arrests/charges a criminal offense other than a minor traffic violation;

    Such notice shall not be considered an admission of guilt nor shall such notice be admissible

for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory.

In addition, administrators shall self-report any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea of guilty or Nolo Contendere for any criminal offense other than a minor traffic violation within forty-eight (48) hours after the final judgment. When handling sealed and expunged records disclosed under this rule, school districts shall comply with the confidentiality provisions of F.S. 943.0585(4)(c) and F.S. 943.059(4)(c).

32. report to appropriate authorities any known allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795(1);

33. seek no reprisal against any individual who has reported any allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795(1);

34. comply with the conditions of an order of the Education Practices Commission imposing probation, imposing a fine, or restricting the authorized scope of practice;

35. as the supervising administrator, cooperate with the Education Practices Commission in monitoring the probation of a subordinate.

B. No administrative staff member shall have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature that is in substantial conflict with the proper discharge of his/her duties in the public interest. (see also Policy 1129, Conflict of Interest)

C. All District administrative staff members shall adhere to the principles enumerated above.

All administrators shall be required to complete training on the standards established herein upon employment and annually thereafter.

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F.S. 1001.42(6)

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3210 - **STANDARDS OF ETHICAL CONDUCT**

Instructional staff members shall be guided by and adhere to the following ethical principles:

A. The instructional staff member values the worth and dignity of every person, the pursuit of truth, devotion to excellence, acquisition of knowledge, and the nurture of democratic citizenship. Essential to the achievement of these standards are the freedom to learn and to teach and the guarantee of equal opportunity for all.

B. The instructional staff member's primary professional concern will always be for the student and for the development of the student's potential. The instructional staff member will therefore strive for professional growth and will seek to exercise the best professional judgment and integrity.

C. The instructional staff member strives to achieve and sustain the highest degree of ethical conduct because s/he is aware of the importance of maintaining the respect and confidence of one's colleagues, of students, of parents, and of other members of the community.

District instructional staff shall comply with the following disciplinary principles. Violation of any of these principles shall subject the individual to revocation or suspension of the individual's teaching certificate, or the other penalties as provide by law, as well as disciplinary action, including but not limited to termination of employment.

A. Obligation to the student requires that the District instructional staff member:

1. make a reasonable effort to protect the student from conditions harmful to learning and/or to the student's mental and/or physical health and/or safety.

2. not unreasonably restrain a student from independent action in pursuit of learning.

3. not unreasonably deny a student access to diverse points of view.

4. not intentionally suppress or distort subject matter relevant to a student's academic program.

5. not intentionally expose a student to unnecessary embarrassment or disparagement.

6. not intentionally provide classroom instruction to students in ~~kindergarten~~prekindergarten through grade ~~3~~8 on sexual orientation or gender identity, except when required by F.S. 1003.42(2)(n)3. and 1003.46.

7. not intentionally provide classroom instruction to students in grades 9 through 12 on sexual orientation or gender identity unless such instruction is required by state academic standards as adopted in F.A.C. 6A-1.09401, or is part of a reproductive health course or health lesson for which a student's parent has the option to have their student not attend.

8. not intentionally violate or deny a student's legal rights.

9. not discourage or prohibit parental notification of and involvement in critical decisions affecting a student's mental, emotional, or physical health or well-being unless the individual reasonably believes that disclosure would result in abuse, abandonment, or neglect as defined in F.S. 39.01.

10. not harass or discriminate against any student on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition, sexual orientation, or social and family background and shall make reasonable efforts to assure that each student is protected from harassment or discrimination. Discrimination on the basis of race, color, national origin, or sex includes subjecting any student to training or instruction that espouses, promotes, advances, inculcates, or compels such student to believe any of the concepts listed in F.S. 1000.05(4)(a).

11. not exploit a relationship with a student for personal gain or advantage.

12. keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law.

13. not violate F.S. 553.865(9)(b), which relates to entering restrooms and changing facilities designated for the opposite sex on the premises of an educational institution.

14. not violate F.S. 1000.071, which relates to the use of personal titles and pronouns in educational institutions.

B. Obligation to the public requires that the District instructional staff member shall:

1. take reasonable precautions to distinguish between personal views and those of any educational institution or organization with which the individual is affiliated.

2. not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression.

3. not use institutional privileges for personal gain or advantage. (see also Policy 3129, Conflict of Interest)

4. accept no gratuity, gift, or favor that might influence professional judgment. (see also Policy 3129, Conflict of Interest)

   (NOTE: Pursuant to F.S. 112.313, no instructional staff member shall solicit or accept anything of value including a gift (see F.S. 112.312), loan, reward, promise of future employment, favor, or service based upon an understanding that the vote, official action, or judgment of the administrator would be influenced thereby.)

5. offer no gratuity, gift, or favor to obtain special advantages.

C. Obligation to the profession of education requires that the District instructional staff member shall:

1. maintain honesty in all professional dealings.

2. not on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition if otherwise qualified, or social and family background deny to a colleague professional benefits or advantages or participation in any professional organization.

3. not interfere with a colleague's exercise of political or civil rights and responsibilities.

4. not engage in harassment or discriminatory conduct which unreasonably interferes with an individual's performance of professional or work responsibilities or with the orderly processes of education or which creates a hostile, intimidating, abusive, offensive, or oppressive environment; and, further, shall make reasonable efforts to assure that each individual is protected from such harassment or discrimination.

5. not make malicious or intentionally false statements about a colleague.

6. not use coercive means or promise special treatment to influence professional judgments of colleagues.

7. not misrepresent one's own professional qualifications.

8. not submit fraudulent information on any document in connection with professional activities.

9. not make any fraudulent statement or fail to disclose a material fact in one's own or another's application for a professional position.

10. not withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment.

11. provide upon the request of a certificated individual a written statement of specific reason for recommendations that lead to the denial of increments, significant changes in employment, or termination of employment.

12. not assist entry into or continuance in the profession of any person known to be unqualified in accordance with these *Principles of Professional Conduct for the Education Profession in Florida* and other applicable Florida statutes and State Board of Education rules.

13. self-report within forty-eight (48) hours to appropriate authorities (as determined by the District) any investigations involving the Department of Children and Families and any arrests/charges involving a criminal offense other than a minor traffic violation.

    Such notice shall not be considered an admission of guilt nor shall such notice be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. In addition, instructional staff members shall self-report any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea of guilty or Nolo Contendere for any criminal offense other than a minor traffic violation within forty-eight (48) hours after the final judgment. When handling sealed and expunged records disclosed under this rule, school districts shall comply with the confidentiality provisions of F.S. 943.0585(4)(c) and 943.059(4)(c).

14. report to appropriate authorities any known allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795(1).

15. seek no reprisal against any individual who has reported any allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795(1).

16. comply with the conditions of an order of the Education Practices Commission imposing probation, imposing a fine, or restricting the authorized scope of practice.

17. as the supervising administrator, cooperate with the Education Practices Commission in monitoring the probation of a subordinate.

D. No instructional staff member shall have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature which is in substantial conflict with the proper discharge of their duties in the public interest. (see also Policy 3129, Conflict of Interest)

All instructional staff members shall be required to complete training on the standards established herein upon employment and annually thereafter.

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4210 - **STANDARDS OF ETHICAL CONDUCT**

Furthermore, the School Board hereby establishes the following as the standards of ethical conduct for all support staff members in the District who have direct access to students:

Support staff members shall be guided by and adhere to the following ethical principles:

A. The support staff member values the worth and dignity of every person, the pursuit of truth, devotion to excellence, acquisition of knowledge, and the nurture of democratic citizenship. Essential to the achievement of these standards are the freedom to learn and to teach and the guarantee of equal opportunity for all.

B. The support staff member's primary professional concern will always be for the student and for the development of the student's potential. The support staff member will therefore strive for professional growth and will seek to exercise the best professional judgment and integrity.

C. The support staff member strives to achieve and sustain the highest degree of ethical conduct because s/he is aware of the importance of maintaining the respect and confidence of one's colleagues, of students, of parents, and of other members of the community.

District staff members shall comply with the following disciplinary principles. Violation of any of these principles shall subject the individual to other penalties as provide by law, as well as disciplinary action, including but not limited to termination of employment.

All District support staff members shall comply with the following disciplinary principles.

A. Obligation to the student requires that the District support staff member shall:

1. make a reasonable effort to protect the student from conditions harmful to learning and/or to the student's mental and/or physical health and/or safety;

2. not unreasonably restrain a student from independent action in pursuit of learning;

3. not unreasonably deny a student access to diverse points of view;

4. not intentionally suppress or distort subject matter relevant to a student's academic program;

5. not intentionally expose a student to unnecessary embarrassment or disparagement;

6. not intentionally provide classroom instruction to students in ~~kindergarten~~prekindergarten through grade ~~3~~8 on sexual orientation or gender identity, except when required by F.S. 1003.42(2)(n)3. and 1003.46;

7. not intentionally provide classroom instruction to students in grades 9 through 12 on sexual orientation or gender identity unless such instruction is required by state academic standards as adopted in F.A.C. Rule 6A-1.09401, or is part of a reproductive health course or health lesson for which a student's parent has the

option to have their student not attend;

8. not intentionally violate or deny a student's legal rights;

9. not discourage or prohibit parental notification of and involvement in critical decisions affecting a student's mental, emotional, or physical health or well-being unless the individual reasonably believes that disclosure would result in abuse, abandonment, or neglect as defined in F.S. 39.01;

10. not harass or discriminate against any student on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition, sexual orientation, or social and family background and shall make reasonable efforts to assure that each student is protected from harassment or discrimination; discrimination on the basis of race, color, national origin, or sex includes subjecting any student to training or instruction that espouses, promotes, advances, inculcates, or compels such student to believe any of the concepts listed in F.S. 1000.05(4)(a);

11. not exploit a relationship with a student for personal gain or advantage;

12. keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law;

13. not violate F.S. 553.865(9)(b), which relates to entering restrooms and changing facilities designated for the opposite sex on the premises of an educational institution; and,

14. not violate F.S. 1000.071, which relates to the use of personal titles and pronouns in educational institutions.

15.

B. Obligation to the public requires that the District support staff member shall:

1. take reasonable precautions to distinguish between personal views and those of any educational institution or organization with which the individual is affiliated;

2. keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law;

3. not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression;

4. not use institutional privileges for personal gain or advantage; (see also Policy 4129, Conflict of Interest)

5. accept no gratuity, gift, or favor that might influence judgment; (see also Policy 4129, Conflict of Interest)

(NOTE: Pursuant to F.S. 112.313, no support staff member shall solicit or accept anything of value including a gift (see F.S. 112.312), loan, reward, promise of future employment, favor, or service based upon an understanding that the vote, official action, or judgment of the administrator would be influenced thereby.)

6. offer no gratuity, gift, or favor to obtain special advantages; (see also Policy 4129, Conflict of Interest)

C. Obligation to the profession of education requires that the District support staff member shall:

1. maintain honesty in all dealings;

2. not on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition if otherwise qualified, or social and family background deny to a colleague professional benefits or advantages or participation in any professional organization;

3. not interfere with a colleague's exercise of political or civil rights and responsibilities;

4. not engage in harassment or discriminatory conduct which unreasonably interferes with an individual's performance of professional or work responsibilities or with the orderly processes of education or which creates a hostile, intimidating, abusive, offensive, or oppressive environment; and, further, shall make reasonable efforts to assure that each individual is protected from such harassment or discrimination;

5. not make malicious or intentionally false statements about a colleague;

6. not use coercive means or promise special treatment to influence professional judgments of colleagues;

7. not misrepresent one's own professional qualifications;

8. not submit fraudulent information on any document in connection with professional activities;

9. not make any fraudulent statement or fail to disclose a material fact in one's own or another's application for a professional position;

10. self-report within forty-eight (48) hours to appropriate authorities (as determined by the District) any investigations involving the Department of Children and Families and any arrests/charges involving a criminal offense other than a minor traffic violation;

    Such notice shall not be considered an admission of guilt nor shall such notice be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. In addition, District support staff members shall self-report any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea of guilty or Nolo Contendere for any criminal offense other than a minor traffic violation within forty-eight (48) hours after the final judgment. When handling sealed and expunged records disclosed under this rule, school districts shall comply with the confidentiality provisions of F.S. 943.0585(4)(c) and 943.059(4)(c).

11. report to appropriate authorities any known allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795(1);

12. seek no reprisal against any individual who has reported any allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795(1).

No support staff member shall have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature that is in substantial conflict with the proper discharge of their duties in the public interest.

All District support staff members shall adhere to the principles enumerated above.

All support staff members shall be required to complete training on the standards established herein upon employment and annually thereafter.

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2120 - **SCHOOL IMPROVEMENT**

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

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

The Superintendent shall establish administrative procedures which will provide for:

A. School improvement plans are developed and implemented by school-based teams, working collaboratively, so that both building level and District level goals for students can be identified and correlated, and then achieved through effective planning, problem-solving, and assessment.

   Each year the school improvement plans for schools that include any of grades 6, 7, or 8 shall include information and data on the school's early warning system as required by this policy and Florida law.

   The school's early warning system shall include the following:

   1. a list of the early warning indicators as required by State law and set forth in this policy;

   2. the number of students identified by the system as exhibiting two (2) or more early warning indicators;

   3. the number of students by grade level that exhibit each early warning indicator; and

   4. a description of all intervention strategies employed by the school to improve the academic performance of students identified by the early warning system.

   In addition, the school improvement plan for a school that includes any of grades 6, 7, or 8 shall describe the strategies used by the school to implement the instructional practices for middle grades emphasized by the District's professional development system pursuant to State law.

B. A District-wide, school-improvement plan which provides for building-level decision-making regarding program assessment, curriculum review, determination of performance standards, budgetary review, staff development, and the monitoring and assessment of student outcomes.

C. Collaboration at both the building and District levels with parents, relevant institutions and groups, especially those in the community, who can support and facilitate school improvement in the District.

D. A system of school reports and dissemination of information regarding the performance of students and educational programs as required by Florida statute and State Board of Education rule.

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

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

The Carl Perkins Vocational and Applied Technology Education Act

The General Education Provisions Act

Parts of Education Department General Administrative Regulations

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

Early Warning System

Every school in the District with grades 6, 7, or 8 shall implement an early warning system to identify students who need additional support to improve academic performance and stay engaged in school. The early warning system shall include the following early warning indicators:

A. Attendance below ninety percent (90%) regardless of whether absence is excused or a result of out-of-school suspension.

B. One (1) or more suspensions whether in school or out of school.

C. Course failure in English Language Arts or mathematics.

D. A Level 1 score on the Statewide, standardized assessments in English Language Arts or mathematics.

E. For students in kindergarten through grade 3, a substantial reading deficiency under F.S. 1008.25(5)(a) or, for students in kindergarten through grade 4, a substantial mathematics deficiency under F.S. 1008.25 and F.A.C. 6A-6.0533.

When a student exhibits two (2) or more early warning indicators, the school's child study team or a school-based team formed for the purpose of implementing the requirements of this policy and State law shall convene to determine appropriate intervention strategies for the student. The school shall provide at least ten (10) days' written notice of the meeting to the student's parent indicating the meeting's purpose, time, and location so that the parent has the opportunity to participate.

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

7540 - **TECHNOLOGY**

The School Board is committed to the effective use of technology to both enhance the quality of student learning and the efficiency of District operations.

Although students' use of District technology resources (see definition in Bylaw 0100) is required to participate in and benefit from certain aspects of the District's curriculum and to participate in online assessment, unsupervised use of technology resources may be limited or denied if such use is not under the direct supervision of school staff if a student's use of District technology resources is in violation of the District's policy regarding acceptable use. ~~Students and their parents must sign and submit a Student Technology Acceptable Use and Safety form annually. (see also, Policy 7540.03)~~ **Students and their parents receive the Student Technology and Internet Safety Policy through the electronically available Student Code of Conduct available on the District website at www.manateeschools.net or on the school's website.**

Annually, the Superintendent shall develop a written **5-Year** Comprehensive Technology Plan (CTP), recommend the CTP to the Board for approval, and, upon approval, implement the CTP.

Annually, the Superintendent shall require the review of the implementation of the current CTP, update that plan as need be, and recommend the updated plan for approval by the Board. The CTP will address the need for District technology resources for all the District's instructional, operational and business functions, including, but not limited to software licenses, infrastructure hardware and software, technical support, telecommunication devices, servers, data storage, and recovery systems (both internal and external).

The Superintendent shall establish a technology governance committee to review and revise of the CTP and recommend revisions necessary to update it.

The Superintendent shall appoint members of the administrative, instructional, curriculum, operations, business, and information technology staff to the technology governance committee.

Procedures for the proper acquisition of technology shall be set forth in the CTP. The CTP shall also provide guidance to staff and students about making safe, appropriate, and ethical use of District technology resources, as well as inform both staff and students about disciplinary actions that will be taken if its technology resources are abused in any way or used in an inappropriate, illegal, or unethical manner. (see Policy 7540.03 and AP 7540.03 - Student Technology Acceptable Use and Safety, and Policy 7540.04 and AP 7540.04 - Staff Technology Acceptable Use and Safety)

This policy, along with the Student and Staff Technology Acceptable Use and Safety policies, and the Code of Student Conduct further govern students' and staff members' use of their wireless communication devices (see Policy 5136 and Policy 7530.02). Users have no right or expectation of privacy when using District technology resources (including, but not limited to, privacy in the content of their personal files, e-mails, and records of their online activity when using the District's computer network and/or Internet connection).

Further, safeguards shall be established so that the Board's investment in both hardware and software achieves the benefits of technology and inhibits negative side effects. Accordingly, students shall be educated about appropriate online behavior including, but not limited to, using social media to interact with others online; interacting with other individuals in chat rooms or on blogs; and, recognizing what constitutes cyberbullying, understanding cyberbullying is a violation of Board policy, and learning appropriate responses if they experience cyberbullying.

For purposes of this policy, social media is defined as Internet-based applications that facilitate communication (e.g., interactive/two-way conversation/dialogue) and networking between individuals or groups. Social media is "essentially a category of online media where people are talking, participating, sharing, networking, and bookmarking online. Most social media services encourage discussion, feedback, voting, comments, and sharing of information from all interested parties" (Quote from Ron Jones of Search Engine Watch). Social media provides a way for people to stay "connected or linked to other sites, resources, and people". Examples include FaceBook, Twitter, Instagram, webmail, text messaging, chat, blogs, and instant messaging (IM). Social media does not include sending or receiving e-mail through the use of District-issued e-mail accounts.

Staff may use social media for business-related purposes. Authorized staff may use District technology resources to access and use social media to increase awareness of District programs and activities, as well as to promote achievements of staff and students, provided the Superintendent approves, in advance, such access and use. Use of social media for business-related purposes is subject to Florida's public records laws and staff members are responsible for archiving their social media and complying with the District's record retention schedule. (see Policy 8310 - Public Records, AP 8310A - Public Records, and AP 8310D - Records Retention and Disposal)

Instructional staff and their students may use District technology resources to access and use social media for educational purposes, provided the Principal approves, in advance, such access and use.

Students must comply with Policy 7540.03 and Policy 5136 when using District technology resources to access and/or use social media. Similarly, staff must comply with Policy 7540.04 and Policy 7530.02 when using District technology resources to access and/or use social media.

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F.S. 1001.43

F.S. 1011.62

7540.04 - STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY

Technology has fundamentally altered the ways in which information is accessed, communicated, and transferred in society. As a result, educators are continually adapting their means and methods of instruction, and the way they approach student learning, to incorporate the vast, diverse, and unique resources available through the Internet. The School Board provides technology and information resources (as defined by Bylaw 0100) to support the educational and professional needs of its staff and students. The Board provides staff with access to the Internet for limited educational purposes only and utilizes online educational services/apps to enhance the instruction delivered to its students and to facilitate the staff's work. The District's computer network and Internet system do not serve as a public access service or a public forum and the Board imposes reasonable restrictions on its use consistent with its limited educational purpose.

The Board regulates the use of District technology and information resources by principles consistent with applicable local, State, and Federal laws and the District's educational mission. This policy and its related administrative procedures and any applicable employment contracts and collective bargaining agreements govern the staff's use of the District's technology and information resources and staff's wireless communication devices when they are connected to the District's computer network, Internet connection, and/or online educational services/apps, or when used while the staff member is on Board-owned property or at a Board-sponsored activity (see Policy 7530.02).

Users are required to refrain from actions that are illegal (such as libel, slander, vandalism, harassment, theft, plagiarism, inappropriate access, and the like) or unkind (such as personal attacks, invasion of privacy, injurious comment, and the like). Because its technology resources are not unlimited, the Board has also instituted restrictions aimed at preserving these resources, such as placing limits on use of bandwidth, storage space, and printers.

Users have no right or expectation to privacy when using District technology and information resources (including, but not limited to, privacy in the content of their personal files, e-mails, and records of their online activity when using the District's computer network and/or Internet connection).

Staff members are expected to utilize District technology and information resources to promote educational excellence in our schools by providing students with the opportunity to develop the resource sharing, innovation, and communication skills and tools that are essential to both life and work. The Board encourages the faculty to develop the appropriate skills necessary to effectively access, analyze, evaluate, and utilize these resources in enriching educational activities. The instructional use of the Internet and online educational services will be guided by Board Policy 2520 - Selection of and Adoption of Instructional Materials.

The Internet is a global information and communication network that brings incredible education and information resources to our students. The Internet connects computers and users in the District with computers and users worldwide. Through the Internet, students and staff can access relevant information that will enhance their learning and the education process. Further, District technology resources provide students and staff with the opportunity to communicate with other people from throughout the world. Access to such an incredible quantity of information and resources brings with it, however, certain unique challenges and responsibilities.

First, the Board may not be able to technologically limit access, through its technology resources, to only those services and resources that have been authorized for the purpose of instruction, study and research related to the curriculum. Unlike in the past when educators and community members had the opportunity to review and screen materials to assess their appropriateness for supporting and enriching the curriculum according to adopted guidelines and reasonable selection criteria (taking into account the varied instructional needs, learning styles, abilities, and developmental levels of the students who would be exposed to them), access to the Internet, because it serves as a gateway to any publicly available file server in the world, opens classrooms and students to electronic information resources that may not have been screened by educators for use by students of various ages.

Pursuant to Federal law, the Board has implemented technology protection measures that protect against (e.g., filter or block) access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors, as defined by the Children's Internet Protection Act (CIPA). At the discretion of the Board or Superintendent, the technology protection measures may also be configured to protect against access to other material considered inappropriate for students to access. The Board also utilizes software and/or hardware to monitor online activity of staff members to restrict access to child pornography and other material that is obscene, objectionable, inappropriate, and/or harmful to minors. The technology protection measures may not be disabled at any time that students may be using the District technology resources, if such disabling will cease to protect against access to materials that are prohibited under the CIPA. Any staff member who attempts to disable the technology protection measures without express written consent of an appropriate administrator will be subject to disciplinary action, up to and including termination.

The Superintendent or IT Department may temporarily or permanently unblock access to websites or online educational services/apps containing appropriate material, if access to such sites has been inappropriately blocked by the technology protection measures. The determination of whether material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material, not on the protection actions of the technology protection measures.

Staff members will participate in professional development programs in accordance with the provisions of law and this policy. Training shall include:

A. the safety and security of students while using e-mail, chat rooms, social media, and other forms of direct electronic communications;

B. the inherent danger of students disclosing personally identifiable information online;

C. the consequences of unauthorized access (e.g., "hacking", "harvesting", "digital piracy", "data mining", etc.), cyberbullying, and other unlawful or inappropriate activities by students or staff online; and

D. unauthorized disclosure, use, and dissemination of personally identifiable information regarding minors.

Furthermore, staff members shall provide instruction for their students regarding the appropriate use of technology and online safety and security as specified above, and staff members will monitor students' online activities while at school.

Monitoring may include, but is not necessarily limited to, visual observations of online activities during class sessions or use of specific monitoring tools to review browser history and network, server, and computer logs.

The disclosure of personally identifiable information about students online is prohibited.

Building principals are responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying procedures. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of the District technology resources. Such training shall include, but not be limited to, education concerning appropriate online behavior, including interacting with other individuals on social media, including in chat rooms and cyberbullying awareness and response. All users of District technology resources are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying procedures.

Staff will be assigned a school email address that they are required to utilize for all school-related electronic communications, including those to students, parents, and other staff members.

With prior approval from the Superintendent or ~~CIO~~ **Chief Technology Officer**, staff may direct students who have been issued school-assigned email accounts to use those accounts when signing-up/registering for access to various online educational services, including mobile applications/apps that will be utilized by the students for educational purposes under the teacher's supervision.

Staff members are responsible for good behavior when using District technology and information resources - i.e., behavior comparable to that expected when they are in classrooms, school hallways, and other school premises and school sponsored events. Communications on the Internet are often public in nature. The Board does not approve any use of its technology and information resources that is not authorized by or conducted strictly in compliance with this policy and its accompanying procedures.

Staff members may only use District technology resources to access or use social media if it is done for educational or business-related purposes.

General school rules for behavior and communication apply.

Users who disregard this policy and its accompanying procedures may have their use privileges suspended or revoked and disciplinary action taken against them. Users are personally responsible and liable, both civilly and criminally, for uses of District technology and information resources that are not authorized by this policy and its accompanying guidelines.

The Board designates the Superintendent and ~~CIO~~ **Chief Technology Officer** as the administrators responsible for initiating, implementing, and enforcing this policy and its accompanying procedures as they apply to staff members' use of District technology and information resources.

Social Media Use

An employee's personal or private use of social media may have unintended consequences. While the Board respects its employees' First Amendment rights, those rights do not include permission to engage in conduct that violates Board policies, the Code of Ethics of the Education Profession in Florida, the Principles of Professional Conduct for the Education Profession in Florida, or any other state of Federal laws, and may result in disciplinary action. This warning includes staff members' online conduct that occurs off school property including from the employee's private computer. Postings to social media should be done in a manner sensitive to the staff member's professional responsibilities.

In addition, Federal and State confidentiality laws forbid schools and their employees from using or disclosing student education records without parental consent (see Policy 8330). Education records include a wide variety of information; posting personally identifiable information about students is not permitted. Staff members who violate State and Federal confidentiality laws or privacy laws related to the disclosure of confidential student or employee information may be disciplined.

Staff members retain rights of communication for collective bargaining purposes and union organizational activities.

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F.S. 847.012
F.S. 1001.41
F.S. 1012.32
P.L. 106-554, Children's Internet Protection Act of 2000
47 U.S.C. 254(h),(1), Communications Act of 1934, as amended
20 U.S.C. 6801 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended
20 U.S.C. 6777 (2003)
20 U.S.C. 9134 (2003)
18 U.S.C. 2256
18 U.S.C. 1460
18 U.S.C. 2246
47 C.F.R. 54.500
47 C.F.R. 54.501
47 C.F.R. 54.502
47 C.F.R. 54.503
47 C.F.R. 54.504
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47 C.F.R. 54.523

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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

A. confidential,

B. controlled, or

C. 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.~~ Annually all employees are required to acknowledge the Employee Handbook and Staff Acceptable Use Policy electronically using MySDMC SSO. The Employee Handbook is also available on the Human Resources INTRANET SharePoint site.

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 ~~guidelines~~procedures apply to him/her or how they apply to him/her, the individual should contact the District's Chief Technology Officer ~~Director~~ or Information Technology Department/Office.

The Superintendent shall develop ~~guidelines~~proceduresthat 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 ~~guidelines~~procedures may put data/information collected and retain 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 terms of service privacy policies of contracted providers of online educational products that are offered to K-12 students comply with State and Federal privacy laws, including the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations, the Children's Online Privacy Protection Act (COPPA) F.S. 1002.22, and ~~with~~ the Student Online Personal Information Protection Act ~~in accordance with~~ F.S. 1006.1494.

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

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

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

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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 agencies; the local Fire Marshall(s) or his/her designee(s); representative(s) from emergency medical services; commissioned school safety officers; and/or school guardians.

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

A. security assessments;

B. roles and responsibilities of District personnel;

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

D. information sharing;

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

F. identification of Safe Spaces and Command Posts;

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

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

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

J. responsibilities prior to law enforcement arrival;

K. responsibilities when law enforcement arrives on school grounds;

L. communication with the public; and

M. post-incident recovery.

The District will adopt its initial DAARP by October 1.

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

School Safety Specialist

The Superintendent is responsible for designating the District's School Safety Specialist. The School Safety Specialist must be a school administrator employed by the District or a law enforcement officer employed by the Manatee County Sheriff's Office. Prior to appointing a law enforcement officer to serve as the School Safety Specialist, the Superintendent must verify that the law enforcement officer has met all statutory requirements and has been authorized and approved by the Manatee County Sheriff's Office to serve as the School Safety Specialist.

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

A. Training

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

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

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

B. Responsibilities

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

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

2. 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;

3. 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;

4. 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 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.

5. coordinating with appropriate public safety agencies, as defined in F.S. 365.161, that are designated as first responders to a school's campus to conduct a tour of such campus once every three (3) years and to provide recommendations related to school safety. Completion of such tours and any recommendations must be documented in each school's security risk assessment within the Florida Safe Schools Assessment Tool;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

   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.

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

The School Safety Specialist is responsible for notifying the Superintendent immediately and no later than the same day of receipt of any notice of suspected deficiency the School Safety Specialist receives from the Office of Safe Schools.

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

Recommendations of the School Safety Specialist

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

The School Safety Specialist shall report the school security risk assessment findings and recommendations and the Board's action(s) to the Office of Safe Schools no later than thirty (30) days after the Board meeting and prior to November 1 of each year.

The School Safety Specialist shall also submit a best-practices assessment in the Florida Safe Schools Assessment Tool.

As a part of the *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):

A. safety and security best practices;

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

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

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

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

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

2. allows all students in the class the opportunity to learn;

3. has consequences that are fair, and developmentally appropriate;

4. considers the student and the circumstances of the situation; and

5. is enforced accordingly.

Mental Health Coordinator

The Board shall identify a mental health coordinator for the District. The mental health coordinator shall serve as the District's primary point of contact regarding the District's coordination, communication, and implementation of student mental health policies, procedures, responsibilities, and reporting. The mental health coordinator is responsible for:

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

B. Maintaining records and reports regarding student mental health as it relates to school safety and the mental health assistance allocation under F.S. 1011.62(14).

C. Facilitating the implementation of District policies relating to the respective duties and responsibilities of the District, the Superintendent, and District Principals.

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

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

F. Reviewing annually the 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 and/or convene a meeting of the building administrator, representative(s) of the local law enforcement 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 and/or convene a meeting of the building administrator, representative(s) of the local law enforcement 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 Teams

The purpose of the threat assessment 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 teams are responsible for the coordination of resources and assessment and intervention with individuals whose behavior may pose a threat to the safety of school staff or students consistent with the model policies and procedures developed by the Office of Safe Schools which addresses early identification, evaluation, early intervention, and student support.

Each school-based threat assessment 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 assessment teams shall maintain documentation of their meetings, including meeting dates and times, team members in attendance, cases discussed, and actions taken.

A. Location and Membership

1. Threat assessment 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 assessment team must be involved in the threat assessment process and final decision-making.

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

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

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

    a. identifying team participants by position and role;

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

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

B. Responsibilities and Activities of Threat Assessment Teams

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

1. identification of individuals in the school community to whom threatening behavior should be reported and provide guidance to students, faculty, and staff regarding recognition of

threatening or aberrant behavior that may represent a threat to the community, school, or self;

2. utilizing the ~~Department's behavior threat assessment instrument~~ the Florida Model Instrument developed pursuant to F.S. 1001.212;

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

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

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

   The Superintendent shall immediately attempt to notify the student's parent or legal guardian. However, nothing in this paragraph shall preclude District personnel from acting immediately to address an imminent threat.

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

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

7. create procedures related to engaging behavioral health crisis resources.

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

C. Sharing of Information

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

D. Immediate Mental Health or Substance Abuse Crisis

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

E. Threat Assessment Report

The threat management team shall prepare a threat assessment report using the Florida Model Instrument. A threat assessment report, all corresponding documentation, and any other information required by Florida Model Instrument in the threat management portal is an education record.

F. Behavior Threat Assessment Instrument Training

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

G. Office of Safe Schools Reporting

Each threat assessment team shall report quantitative data on its activities to the Office of Safe Schools, including all activities during the previous school year, and shall utilize the threat assessment database developed pursuant to F.S. 1001.212. The School Safety Specialist will report this information to the Office of Safe Schools. Additionally, the School Safety Specialist must report the following information utilizing the Florida Safe Schools Assessment Tool by October 1 of each year:

1. For each school year, the total number of threat assessments conducted, the number of transient threats, and the number of substantive threats; and,

2. Each school year, the number of threat assessments conducted, the number of transient threats, and the number of substantive threats as well as the gender, race, and grade level of all students must be assessed by the threat assessment team. The initial reporting period for the Florida Model Instrument will be from January 1-May 31, 2024, and information will be due by June 15, and annually thereafter for the preceding school year.

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).

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 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") 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.

Revised 5/25/19
Revised 7/27/21
Revised 3/8/22
Revised 9/13/22
Revised 12/13/22

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F.S. 1001.212

F.S. 1006.07

F.S. 1006.13

F.S. 1006.1493

Office of Safe Schools School Security Risk 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. 6A-1.0019

F.A.C. 6AER23-02

Last Modified by Kevin Chapman on May 16, 2024

Approval of Advertising a Notice of Intent to Amend School Board Policies and Setting a Public Hearing at the Board Meeting on July 30, 2024

Part Two

Policy 1242, 3242, 4242 – Professional Learning (Revised)
The revisions to Policies 1242, 3242, and 4242 are in response to recent revisions to F.A.C. Rules 6A-5.069 and 6A-5.071. The revisions to Policies 1242 and 3242 include the following: (1) new language specifying the requirements of what must be included in the District's professional learning system; (2) technical updates; and (3) revised legal references. The revisions to Policy 4242 include technical updates and revised legal references.

Policy 1362, 3362, 4362 – Anti-Harassment (Revised)
Policy 5517.01 – Bullying and Harassment (Revised)
As many school districts are aware, F.S. 1006.147 provides that "[b]ullying or harassment of any student or employee of a public K-12 educational institution is prohibited..." In light of the reference to "employee" in the statute, Policies 1362, 3362, and 4362 have been revised to incorporate various provisions from F.S. 1006.147. Additionally, Policy 5517.01 is revised to include a cross reference to Policies 1362, 3362, and 4362 so that complaints alleging bullying or harassment of an employee are appropriately addressed.

Polic 2210 – Curriculum Development (Revised)
The revisions to Policy 2210 incorporate language from F.A.C. Rule 6A-6.053 (District Comprehensive Evidence-Based Reading Plan). The revisions (1) specify that the District's Comprehensive Evidence-Based Reading Plan (CERP) will include all District schools, including charter schools, unless a charter school elects to submit a plan independently from the District, (2) include updated approval and submission requirements, and (3) include new legal references. Importantly, school districts are encouraged to periodically review F.A.C. Rule 6A-6.053 in its entirety.

Policy 2271 – Articulation and Access to Florida College System (Revised)
The revision to Policy 2271 is based on an amendment to F.A.C. Rule 6A-20.007 changing the name of the "William L. Boyd, IV, Florida Resident Access Grant Program" to the "William L. Boyd, IV, Effective Access to Student Education Grant Program."

Policy 8330 – Student Records (Revised)
Policy 8330 is revised to incorporate revisions to F.A.C. 6A-1.0955, including the removal of language addressing "transient or substantive threats" and "non-threats".

Policy 8600 - Transportation
Policy 8600 includes new language pertaining to School Bus Infraction Detection Systems per F.A.C. Rule 6A-3.003.

Policy 8600.04 - Bus Operator Qualifications, Certification, Discipline, Termination (Revised)
SDMC made revisions based on updated Safe Driver Plan.

Policy 8651 – Board-Owned or Leased Vehicles (Revised)
SDMC made revisions based on updated Safe Driver Plan and Lease Vehicle Program.

1242 - PROFESSIONAL LEARNING

Professional Learning System

Pursuant to State law, the School District will work collaboratively with the Florida Department of Education (FLDOE), public postsecondary institutions, State education foundations, teachers consortia, professional organizations, and business/community representatives in Florida to maintain a coordinated system of professional learning The purpose of the system is to increase student achievement, enhance classroom instructional strategies that promote rigor and relevance throughout the curriculum, and prepare students for continuing education in the workforce.

Pursuant to Florida law, the term "professional learning" means learning that is aligned to Florida's standards for effective professional learning, educator practices, and leadership practices; incorporates active learning; is collaborative; provides models; and is sustained and continuous.

The District's comprehensive learning plan will incorporate school improvement plans, ~~will~~ align with the professional learning standards adopted by the State,, ~~which support the framework for standards adopted by Learning Forward~~ and ~~will~~ align with the principal leadership training. Furthermore, the results of the performance evaluations of administrators conducted pursuant to State law and School Board Policy 1220 will be used when identifying areas for which professional learning is needed.

As part of its effort to develop and refine its professional development system~~plan~~, the District will review and monitor school discipline data; school environment surveys; assessments of parental satisfaction; performance appraisal data of teachers, managers, and administrative personnel; and other performance indicators to identify school and student needs that can be met by improved professional performance.

The District's professional learning system shall include the following:

A. an overview of the system;

B. a list of the collaborative partnerships established and a description of how a diverse group of stakeholders was consulted during development of the system;

C. a description of the organizational structure of professional learning in the District;

D. a list of the District- and school-based positions with the primary responsibility for planning, providing, implementing, and supporting, or evaluating professional learning, and a brief description of their roles related to professional learning;

E. a description of the District's systems of professional learning programs and supports that enable instructional personnel and school administrators to continually develop throughout their career, and provide opportunities for meaningful teacher leadership and the identification and preparation of aspiring school leaders;

F. a description of how the District implements each of the professional learning standards outlined in State Board Rule;

G. a list of the technology platforms and programs the District uses to manage, provide, or support professional learning, and a brief description of how they are utilized;

H. a list of the funding sources and amounts allocated for the District's professional learning resources, and the percentage of the District's total operating expenses that is allocated for professional learning for each of the last three (3) school years; and,

I. confirmation that the system meets the requirements of F.S. 1012.98.

The Board will provide funding for learning as required by State law and the General Appropriations Act and will authorize expenditures from other sources to continuously strengthen the District's system of professional development. The plan will also provide for training for each teacher who will use materials that were purchased with funds allocated by the State for instructional materials, provide for in-service credit for the training, and document satisfactory completion of the training by each teacher.

The in-service activities for administrators shall focus on an analysis of student achievement data, the use of the Board-adopted evaluation program for instructional staff, ongoing formal and informal assessments of student achievement, identification and use of enhanced and differentiated instructional strategies that emphasize rigor, relevance, and reading in the content areas, enhancement of subject content expertise, integrated use of classroom technology that enhances teaching and learning, classroom management, parent involvement, and school safety.

The District shall also provide in-service activities and support targeted to the individual needs of new administrators participating in the learning certification and education competency program.

Additionally, the District shall make available, on a space available basis, in-service activities to instructional personnel who are designated as administrators of nonpublic schools in the District and the State-certified teachers who are not employed by the Board on a fee basis not to exceed the cost of the activity per all participants.

The Superintendent shall establish and maintain an individual learning plan for each administrator assigned to a school as a seamless component to the school improvement plans developed pursuant to State law. The individual learning plan established by the Superintendent shall:

A. define the in-service objectives and specific measurable improvements expected in student performance as a result of the in-service activity;

B. include an evaluation component that determines the effectiveness of the learning plan;

C. include in-service activities for school administrative personnel that address updated skills necessary for instructional leadership and effective school management;

D. provide for systematic consultation with regional and State personnel designated to provide technical assistance and evaluation of local learning programs;

E. provide for delivery of learning development by distance learning and other technology-based delivery systems to reach more educators at lower costs;

F. provide for the continuous evaluation of the quality and effectiveness of learning programs in order to eliminate ineffective programs and strategies and to expand effective ones. Evaluations must consider the impact of such activities on the performance of participating educators and their students' achievement and behavior.

Professional learning activities linked to student learning and professional growth for administrative staff will meet the following criteria:

A. Utilize materials aligned to the State's educational leadership standards.

B. Have clear, defined, and measurable outcomes for both individual in-service activities and multiple-day sessions.

C. Employ multiple measurement tools for data on teacher growth, participants' use of new knowledge and skills, student learning outcomes, instructional growth outcomes, and leadership growth outcomes, as applicable.

D. Utilize active learning and engage participants directly in designing and trying out strategies, providing participants with the opportunity to engage in authentic teaching and leadership experiences.

E. Utilize artifacts, interactive activities, and other strategies to provide deeply embedded and highly contextualized professional learning.

F. Create opportunities for collaboration.

G. Utilize coaching and expert support to involve the sharing of expertise about content and evidence-based practices, focused directly on the needs of the role.

H. Provide opportunities to think about, receive input on, and make changes to practice by facilitating reflection and providing feedback.

I. Provide sustained duration with follow-up to have adequate time to learn, practice, implement, and reflect upon new strategies that facilitate changes in practice.

By July 1st of each year and prior to the release of funds for instructional materials, pursuant to statutory requirements, the Superintendent will certify to the Commissioner of Education that the Board has approved a comprehensive learning plan that requires fidelity of implementation of instructional materials that are in the first two (2) years of the adoption cycle. The report will also include verification that the training was provided.

The District shall submit its professional learning system to the FLDOE for review and approval in accordance with timelines adopted by the FLDOE and as set forth in F.A.C. 6A-5.069.

Professional Learning Catalog

A. Components

As part of its coordinated system of learning the District will establish a Professional Learning Catalog (catalog) that outlines all learning opportunities, referred to as components, for all District employees from all funding sources. For each component, the catalog will include the following:

1. a title;

2. an identifying number assigned in accordance with the Florida Department of Education (FLDOE) Information Database Requirements: Volume II – Automated Staff Information System pursuant to F.S. 1008.385(2) and F.A.C. 6A-1.0014;

3. the maximum number of in-service points to be awarded for successful completion of the component, assigned in accordance with the specifications outlined in F.A.C. 6A-5.071(7);

4. a description of the specific objectives and activities to be completed; and,

5. the component evaluation criteria for determining the effectiveness of learning in:

    a. addressing the specific objectives;

    b. increasing educator knowledge and skills;

    c. changing educator dispositions or practice in the educational setting; and,

    d. improving student outcomes.

For each component for which in-service points will be awarded, the catalog will also include a description of any follow-up activities that will be required and support that will be provided to allow for successful completion of the component.

B. Review, Amendment, and Submission

Annually, the District shall conduct a review of the previous year's catalog program operations that results in a determination of its effectiveness in the educational setting as measured by changes in educator practice and student outcomes, and use this information to make decisions about which components to continue, modify, or eliminate.

Based on the results of the review, and by September 1st, annually, the catalog will be updated and approved by the Board.

By October 1st of each year, the District will submit a letter to the Commissioner of Education verifying that the Board has approved the District's catalog and that it meets the criteria set forth in F.A.C. 6A-5.071. Any components of the District's catalog developed or modified after the annual approval of the catalog will be approved as an amendment by the Board.

C. Record Maintenance and Data Reporting

The following information will be maintained for each component:

1. dates the component was delivered;
2. names of component leaders;
3. names of participants and performance records;
4. evaluation of the component; and,
5. criteria for successful completion.

The following information will be maintained for each component participant:

1. title and number of the component;
2. dates of participation;
3. satisfactory or unsatisfactory completion; and,

4. number of in-service points to be awarded, eligibility of the points to be used for certification, and expiration date of the educator's certificate(s), if applicable. All requirements for renewal of a Professional~~learning~~ Ceertificate on the basis of completion of in-service points pursuant to F.S. 1012.585 and F.A.C. 6A-4.0051 shall be met.

The District shall submit its professional learning catalog to the FLDOE for review and approval as set forth in F.A.C. 6A-5.071.

The District will report data information for all approved learning components through the FLDOE's automated data reporting procedures.

Revised 7/27/21
Revised 11/14/23

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F.S. 1001.42
F.S. 1011.67
F.S. 1012.22
F.S. 1012.34
F.S. 1012.98
F.S. 1012.985
F.S. 1012.986
F.A.C. 6A-5.069
F.A.C. 6A-5.071

Last Modified by Frankie St James on May 29, 2024

3242 - PROFESSIONAL LEARNING

Professional Learning System

Pursuant to State law, the School District will work collaboratively with the Florida Department of Education (FLDOE), public postsecondary institutions, State education foundations, teachers, consortia, professional organizations, and business/community representatives in Florida to maintain a coordinated system of professional learning The purpose of the system is to increase student achievement, enhance classroom instructional strategies that promote rigor and relevance throughout the curriculum, and prepare students for continuing education and the workforce.

Pursuant to Florida law, the term "professional learning" means learning that is aligned to Florida's standards for effective professional learning, educator practices, and leadership practices; incorporates active learning; is collaborative; provides models; and is sustained and continuous.

The District's comprehensive professional learning system will incorporate school improvement plans and ~~will~~ align with the professional learning standards adopted by the State~~, which support the framework for standards adopted by Learning Forward~~. Furthermore, the results of the performance evaluations of instructional staff members conducted pursuant to State law and School Board Policy 3220 will be used when identifying the areas for which professional learning is needed. As part of its effort to develop and refine its professional learning ~~plan~~system, the District will review and monitor school discipline data; school environment surveys; assessments of parental satisfaction; performance appraisal data of teachers, managers, and administrative personnel; and other performance indicators to identify school and student needs that can be met by improved professional performance.

The District's professional learning system shall include the following:

A. an overview of the system;

B. a list of the collaborative partnerships established and a description of how a diverse group of stakeholders was consulted during development of the system;

C. a description of the organizational structure of professional learning in the District;

D. a list of the District- and school-based positions with the primary responsibility for planning, providing, implementing, and supporting, or evaluating professional learning, and a brief description of their roles related to professional learning;

E. a description of the District's systems of professional learning programs and supports that enable instructional personnel and school administrators to continually develop throughout their career, and provide opportunities for meaningful teacher leadership and the identification and preparation of aspiring school leaders;

F. a description of how the District implements each of the professional learning standards outlined in State Board Rule;

G. a list of the technology platforms and programs the District uses to manage, provide, or support professional learning, and a brief description of how they are utilized;

H. a list of the funding sources and amounts allocated for the District's professional learning resources, and the percentage of the District's total operating expenses that is allocated for professional learning for each of the last three (3) school years; and,

I. confirmation that the system meets the requirements of F.S. 1012.98.

The Board will provide funding for professional learning as required by State law and the General Appropriations Act and will authorize expenditures from other sources to continuously strengthen the District's system of professional learninglearning. The plan will also provide for training for each teacher who will use materials that were purchased with funds allocated by the State for instructional materials, provide for in-service credit for the training, and document satisfactory completion of the training by each teacher.

The in-service activities for instructional personnel shall include, but not be limited to analysis of student achievement data, ongoing formal and informal assessments of student achievement, identification and use of enhanced and differentiated instructional strategies that emphasize rigor, relevance, and reading in the content areas, enhancement of subject content expertise, integrated use of classroom technology that enhances teaching and learning, classroom management, parent involvement, and school safety. Additionally, the District shall make available, on a space available basis, in-service activities to instructional personnel of nonpublic schools in the District and the State certified teachers who are not employed by the Board on a fee basis not to exceed the cost of the activity per all participants.

School principals shall establish and maintain an individual professional learning plan for each instructional employee assigned to the school. The individual professional learning plan must:

A. be related to specific performance data for the students to whom the teacher is assigned;

B. define the in-service objectives and specific measurable improvements expected in student performance as a result of the in-service activity(ies);

C. include an evaluation component that determines the effectiveness of the professional learning plan.

Professional learning activities linked to student learning and professional growth for instructional staff will meet the following criteria:

D. Utilize materials aligned to the State's educational leadership standards.

E. Have clear, defined, and measurable outcomes for both individual in-service activities and multiple day sessions.

F. Employ multiple measurement tools for data on teacher growth, participants' use of new knowledge and skills, student learning outcomes, instructional growth outcomes, and leadership growth outcomes, as applicable.

G. Utilize active learning and engage participants directly in designing and trying out strategies, providing participants with the opportunity to engage in authentic teaching and leadership experiences.

H. Utilize artifacts, interactive activities, and other strategies to provide deeply embedded and highly contextualized professional learning.

I. Create opportunities for collaboration.

J. Utilize coaching and expert support to involve the sharing of expertise about content and evidence-based practices, focused directly on the needs of the role.

K. Provide opportunities to think about, receive input on, and make changes to practice by facilitating reflection and providing feedback.

L. Provide sustained duration with follow-up to have adequate time to learn, practice, implement, and reflect upon new strategies that facilitate changes in practice.

Professional Learning Certification and Education Competency Program

The District will provide the competency-based professional learning certification program developed by the FLDOE by which members of the District's instructional staff with a State-issued temporary certificate may satisfy the mastery of professional preparation and education competence requirements specified in State law and rules of the State Board of Education.

Certification of an Approved Comprehensive Professional Learning Plan

By July 1st of each year and prior to the release of funds for instructional materials, pursuant to statutory requirements, the Superintendent will certify to the Commissioner of Education that the Board has approved a HQMIP that requires fidelity of implementation of instructional materials that are in the first two (2) years of the adoption cycle. The report will also include verification that the training was provided.

The District shall submit its professional learning system to the FLDOE for review and approval in accordance with timelines adopted by the FLDOE and as set forth in F.A.C. 6A-5.069.

Professional Learning Catalog

A. Components

As part of its coordinated system of professional learning, the District will establish a Professional Learning Catalog (catalog) that outlines all professional learning opportunities, referred to as components, for all District employees from all funding sources. For each component, the catalog will include the following:

1. a title;
2. an identifying number assigned in accordance with the FLDOE Information Database Requirements: Volume II – Automated Staff Information System pursuant to F.S. 1008.385(2) and F.A.C. 6A-1.0014;
3. the maximum number of in-service points to be awarded for successful completion of the component, assigned in accordance with the specifications outlined in F.A.C. 6A-5.071(7);
4. a description of the specific objectives and activities to be completed; and,
5. the component evaluation criteria for determining the effectiveness of professional learning in:
    a. addressing the specific objectives;
    b. increasing educator knowledge and skills;

c. changing educator dispositions or practice in the educational setting; and,

d. improving student outcomes.

For each component for which in-service points will be awarded, the catalog will also include a description of any follow-up activities that will be required and support that will be provided to allow for successful completion of the component.

B. Review, Amendment, and Submission

Annually, the District shall conduct a review of the previous year's catalog program operations that results in a determination of its effectiveness in the educational setting as measured by changes in educator practice and student outcomes, and use this information to make decisions about which components to continue, modify, or eliminate.

Based on the results of the review, and by September 1st, annually, the catalog will be updated and approved by the Board.

By October 1st of each year, the District will submit a letter to the Commissioner of Education verifying that the Board has approved the District's catalog and that it meets the criteria set forth in F.A.C. 6A-5.071. Any components of the District's catalog developed or modified after the annual approval of the catalog will be approved as an amendment by the Board.

C. Record Maintenance and Data Reporting

The following information will be maintained for each component:

1. dates the component was delivered;
2. names of component leaders;
3. names of participants and performance records;
4. evaluation of the component; and,
5. criteria for successful completion.

The following information will be maintained for each component participant:

1. title and number of the component;
2. dates of participation;
3. satisfactory or unsatisfactory completion; and,
4. number of in-service points to be awarded, eligibility of the points to be used for certification, and expiration date of the educator's certificate(s), if applicable. All requirements for renewal of a ~~professional certificate~~Professional Certificate on the basis of completion of in-service points pursuant to F.S. 1012.585 and F.A.C. 6A-4.0051 shall be met.

The District shall submit its professional learning catalog to the FLDOE for review and approval as set forth in F.A.C. 6A-5.071.

The District will report data information for all approved professional learning components through the FLDOE's automated data reporting procedures.

Revised 9/10/19
Revised 7/27/21
Revised 11/14/23

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F.S. 1001.42
F.S. 1011.62
F.S. 1012.22
F.S. 1012.34
F.S. 1012.56
F.S. 1012.98
F.S. 1012.985
F.S. 1012.986
F.A.C. 6A-5.069
F.A.C. 6A-5.071

Last Modified by Frankie St James on May 29, 2024

Book	Policy Manual
Section	Special Update March 2024 REVISED
Title	Copy of STAFF DEVELOPMENT
Code	*po4242 fsj 5/29/24
Status	
Adopted	June 27, 2017
Last Revised	July 27, 2021

4242 - **STAFF DEVELOPMENT**

Professional Development System

The School Board believes that training is a prerequisite for continued growth of staff and, therefore, pursuant to State law, requires support staff members in in-service and other training programs.

By July 1st of each year and prior to the release of funds for instructional materials, pursuant to statutory requirements, the Board shall approve a comprehensive staff development plan that requires fidelity of implementation of instructional materials that are in the first two (2) years of the adoption cycle.

The staff development plan shall provide for training for each paraprofessional who will use these materials in their assignment, and require documentation of satisfactory completion of the training by each individual.

In addition to requiring training about the fidelity of instructional materials for those support staff who may use them, incorporating school improvement plans, and aligning with principal leadership training, the District's staff development plan shall require necessary and appropriate training for the various classifications of support staff, including, but not limited to, job-specific skills training, training related to the *School Safety and Security Plan*, and any other training required by State or Federal law.

The Superintendent shall annually report to the Board on the implementation of the District's staff development plan.

Professional Learning Catalog

A. Components

B. As part of its coordinated system of professional ~~development~~learning, the District will establish a Professional Learning Catalog (catalog) that outlines all professional learning opportunities, referred to as components, for all District employees from all funding sources. For each component, the catalog will include the following:

1. a title;

2. an identifying number assigned in accordance with the ~~FLDOE~~Florida Department of Education (FLDOE) Information Database Requirements: Volume II – Automated Staff Information System pursuant to F.S. 1008.385~~(2)~~ and F.A.C. 6A-1.0014;

C. 1. the maximum number of in-service points to be awarded for successful completion of the component, assigned in accordance with the specifications outlined in F.A.C. 6A-5.071(7);

2. a description of the specific objectives and activities to be completed; and,

3. the component evaluation criteria for determining the effectiveness of professional learning in:

a. addressing the specific objectives;

b. increasing employee knowledge and skills;

c. changing employee dispositions or practice in the educational setting; and,

d. improving student outcomes.

For each component for which in-service points will be awarded, the catalog will also include a description of any follow-up activities that will be required and support that will be provided to allow for successful completion of the component.

B. Review, Amendment, and Submission

Annually, the District shall conduct a review of the previous year's catalog program operations that results in a determination of its effectiveness in the educational setting as measured by changes in educator practice and student outcomes, and use this information to make decisions about which components to continue, modify, or eliminate.

Based on the results of the review, and by September 1st, annually, the catalog will be updated and approved by the Board.

By October 1st of each year, the District will submit a letter to the Commissioner of Education verifying that the Board has approved the District's catalog and that it meets the criteria set forth in F.A.C. 6A-5.071. Any components of the District's catalog developed or modified after the annual approval of the catalog will be approved as an amendment by the Board.

C. Record Maintenance and Data Reporting

The following information will be maintained for each component:

1. dates the component was delivered;
2. names of component leaders;
3. names of participants and performance records;
4. evaluation of the component; and,
5. criteria for successful completion.

The following information will be maintained for each component participant:

1. title and number of the component;
2. Dates of participation;
3. Satisfactory or unsatisfactory completion; and,
4. number of in-service points to be awarded, eligibility of the points to be used for certification, and expiration date of the educator's certificate(s), if applicable. All requirements for renewal of a professional certificate on the basis of completion of in-service points pursuant to F.S. 1012.585 and F.A.C. 6A-4.0051 shall be met.

The District will report data information for all approved professional learning components through the FLDOE's automated data reporting procedures.

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Legal F.S. 1012.22

F.S. 1012.98

F.S. 1012.985

F.A.C. 6A-5.069

F.A.C. 6A-5.071

I. General Policy Statement

It is the policy of the School Board to maintain an educational and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board. Further, the Board prohibits the bullying of any employee as set forth in F.S. 1006.147.

The Superintendent will vigorously enforce its prohibition against discriminatory harassment on the basis of race (including anti-Semitism [as defined in Bylaw 0100]), ethnicity, color, national origin, sex (including sexual orientation, gender status, or gender identity), disability (including HIV, AIDS, or sickle cell trait), pregnancy, marital status, age (except as authorized by law), religion, military status, ancestry, or genetic information which are classes protected by State and/or Federal law (collectively, "protected classes"; hereinafter referred to as unlawful harassment), and encourages those within the School District community as well as Third Parties, who feel aggrieved to seek assistance to rectify such problems. The Superintendent will investigate all allegations of unlawful harassment and in those cases where unlawful harassment is substantiated, the Superintendent will take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

The District will offer counseling services to any staff member found to have been subjected to unlawful harassment, and, where appropriate, the person(s) who committed the unlawful harassment.

Further, nothing in this policy shall be construed to abridge the rights of ~~students or~~ school employees that are protected by the First Amendment to the Constitution of the United States.

II. Other Violations of the Anti-Harassment Policy

The Superintendent will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.

B. Filing a malicious or knowingly false report or complaint of unlawful harassment.

C. Disregarding, failing to investigate adequately, or delaying the investigation of allegations of unlawful harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

III. Definitions

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

Complainant is the individual who alleges, or is alleged, to have been subjected to unlawful harassment, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

Respondent is the individual who has been alleged to have engaged in unlawful harassment, regardless of whether the reporting party files a formal complaint or is seeking an informal resolution to the alleged harassment.

School District community means students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

Day(s): Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

A. Bullying

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more ~~students or~~ employees and that bullying is based upon sex, race (including anti-Semitism), color, national origin, religion, or disability, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that creates ~~is severe or pervasive enough to create~~ an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation. This unlawful harassment may include, but not be limited to, the following:

1. teasing;
2. social exclusion;
3. threats;
4. intimidation;
5. stalking;
6. cyberstalking;

7. cyberbullying;

8. physical violence;

9. theft;

10. sexual, religious, or racial harassment;

11. public or private humiliation; or

12. destruction of property.

B. "Harassment" means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct directed against ~~a student or~~ a school employee that:

1. places ~~a student or~~ school employee in reasonable fear of harm to his/her person or damage to his/her property;

2. has the effect of substantially interfering with an employee's ~~a student's~~ educational performance, opportunities, or benefits; or

3. has the effect of substantially disrupting the orderly operation of a school~~.~~

C. "Bullying" and "harassment" also include:

D. Retaliation against a school employee by a student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.

E. Perpetuation of conduct listed under the definitions of "bullying," "cyberbullying," or "harassment" by an individual or group with intent to demean, dehumanize, embarrass, or cause physical harm to a school employee by:

a. incitement or coercion;

b. accessing or knowingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the District school system; or,

c. acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

F.

D. Sexual Harassment

For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

1. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.

2. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.

3. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of any gender against a person of the same or another gender.

Sexual Harassment covered by Policy 2266 – Nondiscrimination on the Basis of Sex in Education Programs or Activities is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.

Prohibited acts that constitute sexual harassment under this policy may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

1. Unwelcome sexual propositions, invitations, solicitations, and flirtations.

2. Unwanted physical and/or sexual contact.

3. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs, activities, or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.

4. Unwelcome verbal expressions, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes, or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.

5. Sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings, or literature placed in the work or educational environment, that may reasonably embarrass or offend individuals.

6. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.

7. Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities.

8. Speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.

9. Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship.

10. Leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin.

11. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.

12. Consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.

13. Verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex stereotyping that does not involve conduct of a sexual nature.

14. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based and gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment, or such that it creates a hostile or abusive employment or educational environment.

D. Sexual Cyber Harassment

Pursuant to Florida law, "sexual cyber harassment" means to publish to an Internet website or disseminate through electronic means to another person a sexually explicit image of a person that contains or conveys the personal identification information of the depicted person without the depicted person's consent, contrary to the depicted person's reasonable expectation that the image would remain private, for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person. Evidence that the depicted person sent a sexually explicit image to another person does not, on its own, remove his/her reasonable expectation of privacy for that image. Sexual cyber harassment may be a form of sexual harassment.

E. Race/Color Harassment (Including Anti-Semitism)

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Prohibited anti-Semitism harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's Jewish heritage and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is based upon a certain perception of the Jewish people, which may be expressed as hatred toward Jewish people, rhetorical and physical manifestations of anti-Semitism directed toward a person, his/her property, or toward Jewish community institutions or religious facilities.

F. Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

G. National Origin Harassment

Prohibited national origin harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

H. Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disability, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

I. Pregnancy Harassment

Prohibited pregnancy harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's pregnancy and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's pregnancy and condition of pregnancy.

IV. Reports and Complaints of Harassing Conduct

Members of the School District community and Third Parties, which includes all staff, are encouraged to promptly report incidents of unlawful harassing conduct to an administrator, supervisor, or other School District official so that the Superintendent may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other District official who receives such a report shall file it with the District's Anti-Harassment Compliance Officer within two (2) days of receiving the report of harassment. Anonymous reports of an alleged act of bullying or harassment may be reported to an administrator, supervisor, or other School District official; however, formal disciplinary action may not be based solely on an anonymous report.

Members of the School District community and Third Parties who believe they have been unlawfully harassed by another member of the School District community or a Third Party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment or participation in educational or extra-curricular programs unless the Complainant makes the complaint maliciously or with knowledge that it is false. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of reported act of bullying and/or harassment in accordance with Policy 5517.01 – Bullying and Harassment, the principal or his/her designee believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on sex, race (including anti-Semitism), color, national origin, religion, or disability, the principal or his/her designee will report the act of bullying and/or harassment to one of the Compliance Officers who shall investigate the allegation in accordance with this policy. If the alleged harassment involves Sexual Harassment as defined by Policy 2266, the matter will be handled in accordance with the grievance process and procedures outlined in Policy 2266. While the Compliance Officer investigates the allegation, or while the matter is being addressed pursuant to Policy 2266, the Principal shall suspend Policy 5517.01 investigation to await the Compliance Officer's written report or the determination or responsibility pursuant to Policy 2266. The Compliance Officer shall keep the Principal informed of the status of the Policy 1362 investigation and provide the Principal with a copy of the resulting written report. Likewise, the Title IX Coordinator will provide the Principal with the determination of responsibility that results from the Policy 2266 grievance process.

A. Compliance Officer

For current contact information of the School District's Section 504 Compliance Officer/ADA Coordinator and Title IX Coordinators, please visit www.manateeschools.net/titleix or call (941) 708-8770.

B. Publication Required

The names, titles, and contact information of these individuals will be published annually in the staff handbooks and/ or on the School District's website.

The names, titles, and/or contact information of the persons presently serving as Compliance Officer may change from time to time, and such changes shall be deemed technical corrections within the meaning of Bylaw 0131.1 and shall be made pursuant to that bylaw.

C. Duties and Responsibilities

A Compliance Officer will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the School District community, and Third Parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

Any Board employee who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Anti-Harassment Compliance Officers within two (2) days. Thereafter, the Compliance Officer or designee must contact the Complainant, if over age eighteen (18) or the Complainant's parents/guardians if the Complainant is under the age eighteen (18), within two (2) days to advise of the Superintendent's intent to investigate the alleged misconduct, including the obligation of the compliance officer or designee to conduct an investigation following all the procedures outlined for a formal complaint.

The Compliance Officer are assigned to accept complaints of unlawful harassment directly from any member of the School District community or a visitor to the District or to receive complaints which are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, the Compliance Officer will begin either an informal or formal process (depending on the request of the member of the School District community alleging harassment), or the Compliance Officer will designate a specific individual to conduct such a process. In the case of a formal complaint, the Compliance Officer will prepare, after consultation with the Staff Attorney, recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of unlawful harassment which are reported to them to an Compliance Officer within five (5) days of learning of the incident.

V. Investigation and Complaint Procedure

Except for Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Program or Activities, any employee or other member of the School District community or Third Party who believes that they have been subjected to unlawful harassment may seek resolution of the complaint through the procedures described below. The formal complaint process involves an investigation of the Complainant's claims of harassment or retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful harassment or retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education, Office for Civil Rights (OCR), the Florida Commission on Human Relations (FCHR), and/or the Equal Employment Opportunity Commission (EEOC).

A. Informal Complaint Procedure

The goal of the informal complaint procedure is to promptly stop inappropriate behavior and to facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student, other member of the School District community, or Third Party who alleges unlawful harassment or retaliation. This informal procedure is not required as a precursor to the filing of a formal complaint.

Employees, other members of the School District community, or Third Parties who believe that they have been unlawfully harassed or retaliated against may initiate their complaint through this informal complaint process, but are not required to do so. The informal process is only available in those circumstances where the Complainant and the Respondent mutually agree to participate in it.

The Complainant may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

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

As an initial course of action, if a Complainant feels comfortable and safe in doing so, the individual should tell or otherwise inform the Respondent that the alleged harassing conduct is unwelcome and must stop. The Complainant should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officer is available to support and counsel individuals when taking this initial step or to intervene on behalf of the Complainant if requested to do so. A Complainant who is uncomfortable or

unwilling to directly approach the Respondent about the allegedly inappropriate conduct may file an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

A Complainant may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator; (2) to the Superintendent or other District-level employee; and/or (3) directly to one of the Compliance Officers.

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

The School District's informal complaint procedure is designed to provide employees, other members of the School District community, or Third Parties who believe they are being unlawfully harassed by another individual with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the Complainant, informal resolution may involve, but not be limited to, one or more of the following:

1. Advising the Complainant about how to communicate the unwelcome nature of the behavior to the Respondent.

2. Distributing a copy of this policy as a reminder to the individuals in the school building or office where the Respondent works or attends.

3. If both parties agree, the Compliance Officer may arrange and facilitate a meeting or mediation between the Complainant and Respondent to work out a mutual resolution.

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

All materials generated as part of the informal complaint process will be retained by the Compliance Officers or designee in accordance with the Board's records retention policy. (See Policy 8310 and Policy 8320)

B. Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or the Complainant, from the outset, elects to file a formal complaint, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process as described below shall be implemented.

This formal complaint process is not intended to interfere with the rights of an employee, other member of the School District community, or third party to

pursue a complaint of unlawful harassment with the United States Department of Education, Office for Civil Rights, the Florida Civil Rights Commission, or the Equal Employment Opportunity Commission.

The Complainant may file a formal complaint, either orally or in writing with a teacher, principal, or other District official, the Compliance Officer, Superintendent, or other District official. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, principal, or other District official, the Compliance Officer, Superintendent, or other District official, either orally or in writing, about any complaint of harassment, that employee must report such information to the Compliance Officer within two (2) days.

Throughout the course of the process, as described herein, the Compliance Officer should keep the parties reasonably informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter the Compliance Officer will prepare a written summary of the oral interview, and the complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation including but not limited to a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the Compliance Officer should consult the Complainant to assess his/her agreement to any action deemed appropriate. If the Complainant is unwilling to consent to any change that is deemed appropriate by the Compliance Officer, the Compliance Officer may still take whatever actions deemed appropriate in consultation with the Superintendent and/or Board Attorney.

Within two (2) days of receiving a formal complaint, the Compliance Officer or a designee will initiate a formal investigation to determine whether the complainant has been subjected to offensive conduct/harassment/retaliation. The Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the Respondent that a formal complaint has been received. The respondent will be informed about the nature of the allegations and a copy of any relevant policies and/or administrative procedures and the Board's anti-harassment policy shall be provided to the respondent at that time. The respondent must also be informed of the opportunity to submit a written response to the formal complaint within five (5) days.

Although certain cases may require additional time, the Compliance Officer or a designee will attempt to complete an investigation into the allegations of

harassment/retaliation within fifteen (15) days of receiving the formal complaint. The investigation will include:

1. interviews with the Complainant;

2. interviews with the Respondent;

3. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;

4. consideration of any documentation or other evidence presented by the complainant, respondent, or any other witness which is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer/designee shall consult with the Staff Attorney. A written report shall then be prepared and delivered to the Superintendent which summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Respondent engaged in unlawful harassment/retaliation of the Complainant. The Compliance Officer's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used. The Compliance Officer may consult with the Board Attorney before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) days of receiving the report of the Compliance Officer or the designee, the Superintendent must either issue a written decision regarding whether or not the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the complainant and the respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.

The decision of the Superintendent shall be final.

The Superintendent reserves the right to investigate and resolve a complaint or report of unlawful harassment regardless of whether the member of the School District community or Third Party alleging the unlawful harassment pursues the complaint. The Superintendent also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Superintendent.

The parties may be represented, at their own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

VI. Privacy/Confidentiality

The School District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and related administrative procedures shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.

During the course of a formal investigation, the Compliance Officer or designee will instruct all members of the School District community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that is learned or provided during the course of the investigation.

All public records created as a part of an investigation of a complaint of harassment will be maintained by the Compliance Officer in accordance with the Board's records retention policy. Any records which are considered student records in accordance with the Family Educational Rights and Privacy Act will be maintained in a manner consistent with the provisions of the Federal and State laws.

VII. Sanctions and Monitoring

The Superintendent shall vigorously enforce the Board's prohibitions against unlawful harassment and bullying by taking appropriate action reasonably calculated to stop the harassment/retaliation/bullying and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the ~~suspension/expulsion of a student~~. Disciplinary action up to and including the discharge of an employee may occur if an employee is found to have wrongfully and intentionally accused another of an act of bullying or harassment. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Superintendent may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

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

VIII. Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

IX. Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any teacher or school employee who knows or suspects that a child under the age of eighteen (18) is a victim of child abuse or neglect to immediately report that knowledge or suspicion to the Department of Children and Family Services. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the complainant, a report of such knowledge must be made in accordance with State law and Board policy.

If the Compliance Officer or a designee has reason to believe that the complainant has been the victim of criminal conduct as defined under Florida law, such knowledge should be reported to local law enforcement.

Any reports made to the local child protection service or to local law enforcement shall not terminate the Compliance Officer or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

X. Mandatory Reporting of Misconduct by Certificated Employees

The Superintendent is required by State law and Board Policy 8141 to report alleged misconduct by certificated employees of the District that affects the health, safety, or welfare of a student. In accordance with Board policy and State law, the Superintendent shall investigate each allegation of such conduct and, if confirmed, shall report such misconduct pursuant to Policy 8141.

XI. Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding this policy and harassment in general, will be age and content appropriate.

XII. Retention of Investigatory Records and Materials

The Compliance Officer is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all information, documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created

and received as part of an investigation, including, but not limited to:

A. all written reports/allegations/complaints/statements;

B. narratives of all verbal reports/allegations/complaints/statements;

C. a narrative of all actions taken by District personnel;

D. any written documentation of actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities;

E. written witness statements;

F. narratives of, notes from, or audio, video, or digital recordings of witness statements;

G. all documentary evidence;

H. e-mails, texts, or social media posts pertaining to the investigation;

I. contemporaneous notes in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.) pertaining to the investigation;

J. written disciplinary sanctions issued to students or employees and a narrative of verbal disciplinary sanctions issued to students or employees for violations of the policies and procedures prohibiting discrimination or harassment;

K. dated written determinations to the parties;

L. dated written descriptions of verbal notifications to the parties;

M. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;

N. documentation of any supportive measures offered and/or provided to the Complainant and/or the Respondent, including no-contact orders issued to both parties, the dates the no-contact orders were issued, and the dates the parties acknowledged receipt of the no-contact orders;

O. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks);

P. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment; and

Q. documentation of any training provided to District personnel related to this policy, including but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy.

The information, documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal and/or State law (e.g., student records).

The information, documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, and Policy 8320 for not less than three (3) years, but longer if required by the District's records retention schedule.

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Revised 4/12/22
Revised 3/28/23

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Legal

F.S. 110.1221

F.S. 250.481

F.S. 760.01

F.S. 760.10

F.S. 784.049

F.S. 1000.05

F.S. 1006.07

20 U.S.C. 1400 et seq., The Individuals with Disabilities Improvement Act of 2004, as amended (commonly known as the Individuals with Disabilities Act)

42 U.S.C. 2000d et seq.

42 U.S.C. 2000e et seq.

29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967

29 U.S.C. 794, Rehabilitation Act of 1973

29 C.F.R. Part 1635

29 U.S.C. 6101, The Age Discrimination Act of 1975

38 U.S.C. 4301 et seq., The Uniformed Services Employment and Reemployment Rights Act

42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

20 U.S.C. 1681 et seq.

42 U.S.C. 1983

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

Last Modified by Frankie St James on May 29, 2024

I. General Policy Statement

It is the policy of the School Board to maintain an educational and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board. Further, the Board prohibits the bullying of any employee as set forth in F.S. 1006.147.

The Superintendent will vigorously enforce its prohibition against discriminatory harassment on the basis of race (including anti-Semitism [as defined in Bylaw 0100]), ethnicity, color, national origin, sex (including sexual orientation, gender status, or gender identity), disability (including HIV, AIDS, or sickle cell trait), pregnancy, marital status, age (except as authorized by law), religion, military status, ancestry, or genetic information which are classes protected by State and/or Federal law (collectively, "protected classes"; hereinafter referred to as unlawful harassment), and encourages those within the School District community as well as Third Parties, who feel aggrieved to seek assistance to rectify such problems. The Superintendent will investigate all allegations of unlawful harassment and in those cases where unlawful harassment is substantiated, the Superintendent will take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

The District will offer counseling services to any staff member found to have been subjected to unlawful harassment, and, where appropriate, the person(s) who committed the unlawful harassment.

Further, nothing in this policy shall be construed to abridge the rights of students or school employees that are protected by the First Amendment to the Constitution of the United States.

II. Other Violations of the Anti-Harassment Policy

The Superintendent will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.

B. Filing a malicious or knowingly false report or complaint of unlawful harassment.

C. Disregarding, failing to investigate adequately, or delaying the investigation of allegations of unlawful harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

III. Definitions

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

Complainant is the individual who alleges, or is alleged, to have been subjected to unlawful harassment, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

Respondent is the individual who has been alleged to have engaged in unlawful harassment, regardless of whether the reporting party files a formal complaint or is seeking an informal resolution to the alleged harassment.

School District community means students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

Day(s): Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

A. Bullying

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more ~~students or~~ employees and that bullying is based upon sex, race (including anti-Semitism), color, national origin, religion, or disability, that is, characteristics that are

protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that ~~is severe or pervasive enough to create~~creates an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation. This unlawful harassment may include, but not be limited to, the following:

1. teasing;
2. social exclusion;
3. threats;
4. intimidation;
5. stalking;
6. cyberstalking;
7. cyberbullying;
8. physical violence;
9. theft;
10. sexual, religious, or racial harassment;
11. public or private humiliation; or
12. destruction of property.

A. "Harassment" means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a ~~student or~~ school employee that:

1. places a ~~student or~~ school employee in reasonable fear of harm to his/her person or damage to his/her property;
2. has the effect of substantially interfering with ~~a student's~~an employee's educational performance, opportunities, or benefits; or
3. has the effect of substantially disrupting the orderly operation of a school.

C. "Bullying" and "harassment" also include:

1. Retaliation against a school employee by a student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.

2. Perpetuation of conduct listed under the definitions of "bullying," "cyberbullying," or "harassment" by an individual or group with intent to demean, dehumanize, embarrass, or cause physical harm to a school employee by:

   a. incitement or coercion;

   b. accessing or knowingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the District school system; or,

   c. acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

D.

1.

E. D. Sexual Harassment

For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

1. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.

2. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.

3. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of any gender against a person of the same or another gender.

Sexual Harassment covered by Policy 2266 – Nondiscrimination on the Basis of Sex in Education Programs or Activities is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.

Prohibited acts that constitute sexual harassment under this policy may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

1. Unwelcome sexual propositions, invitations, solicitations, and flirtations.

2. Unwanted physical and/or sexual contact.

3. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs, activities, or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.

4. Unwelcome verbal expressions, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes, or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.

5. Sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings, or literature placed in the work or educational environment, that may reasonably embarrass or offend individuals.

6. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.

7. Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities.

8. Speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.

9. Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship.

10. Leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin.

11. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.

12. Consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.

13. Verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex stereotyping that does not involve conduct of a sexual nature.

14. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based and gender-based conduct must be sufficiently severe, pervasive, or~~and~~ persistent such that it adversely affects, limits, or denies an individual's employment, or such that it creates a hostile or abusive employment or educational environment.

D. Sexual Cyber Harassment

Pursuant to Florida law, "sexual cyber harassment" means to publish to an Internet website or disseminate through electronic means to another person a sexually explicit image of a person that contains or conveys the personal identification information of the depicted person without the depicted person's consent, contrary to the depicted person's reasonable expectation that the image would remain private, for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person. Evidence that the depicted person sent a sexually explicit image to another person does not, on its own, remove his/her reasonable expectation of privacy for that image. Sexual cyber harassment may be a form of sexual harassment.

E. Race/Color Harassment (Including Anti-Semitism)

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning

environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Prohibited anti-Semitism harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's Jewish heritage and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is based upon a certain perception of the Jewish people, which may be expressed as hatred toward Jewish people, rhetorical and physical manifestations of anti-Semitism directed toward a person, his/her property, or toward Jewish community institutions or religious facilities.

F. Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

G. National Origin Harassment

Prohibited national origin harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

H. Disability Harassment

Prohibited disability harassment occurs when unwelcome physical,

verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disability, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

I. Pregnancy Harassment

Prohibited pregnancy harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's pregnancy and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's pregnancy and condition of pregnancy.

IV. Reports and Complaints of Harassing Conduct

Members of the School District community and Third Parties, which includes all staff, are encouraged to promptly report incidents of unlawful harassing conduct to an administrator, supervisor, or other School District official so that the Superintendent may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other District official who receives such a report shall file it with the District's Anti-Harassment Compliance Officer within two (2) days of receiving the report of harassment. Anonymous reports of an alleged act of bullying or harassment may be reported to an administrator, supervisor, or other School District official; however, formal disciplinary action may not be based solely on an anonymous report.

V. Members of the School District community and Third Parties who believe they have been unlawfully harassed by another member of the School District community or a Third Party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment or participation in educational or extra-curricular programs unless the Complainant makes the complaint maliciously or with knowledge that it is false. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as

soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of reported act of bullying and/or harassment in accordance with Policy 5517.01 – Bullying and Harassment, the principal or his/her designee believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on sex, race (including anti-Semitism), color, national origin, religion, or disability, the principal or his/her designee will report the act of bullying and/or harassment to one of the Compliance Officers who shall investigate the allegation in accordance with this policy. If the alleged harassment involves Sexual Harassment as defined by Policy 2266, the matter will be handled in accordance with the grievance process and procedures outlined in Policy 2266. While the Compliance Officer investigates the allegation, or while the matter is being addressed pursuant to Policy 2266, the Principal shall suspend Policy 5517.01 investigation to await the Compliance Officer's written report or the determination or responsibility pursuant to Policy 2266. The Compliance Officer shall keep the Principal informed of the status of the Policy 1362 investigation and provide the Principal with a copy of the resulting written report. Likewise, the Title IX Coordinator will provide the Principal with the determination of responsibility that results from the Policy 2266 grievance process.

A. Compliance Officer

For current contact information of the School District's Section 504 Compliance Officer/ADA Coordinator and Title IX Coordinators, please visit www.manateeschools.net/titleix or call (941) 708-8770.

B. Publication Required

The names, titles, and contact information of these individuals will be published annually in the staff handbooks and/or on the School District's website.

The names, titles, and/or contact information of the persons presently serving as Compliance Officer may change from time to time, and such changes shall be deemed technical corrections within the meaning of Bylaw 0131.1 and shall be made pursuant to that bylaw.

C. Duties and Responsibilities

A Compliance Officer will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students,

other members of the School District community, and Third Parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

Any Board employee who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Anti-Harassment Compliance Officers within two (2) days. Thereafter, the Compliance Officer or designee must contact the Complainant, if over age eighteen (18) or the Complainant's parents/guardians if the Complainant is under the age eighteen (18), within two (2) days to advise of the Superintendent's intent to investigate the alleged misconduct, including the obligation of the compliance officer or designee to conduct an investigation following all the procedures outlined for a formal complaint.

The Compliance Officer is assigned to accept complaints of unlawful harassment directly from any member of the School District community or a visitor to the District or to receive complaints which are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, the Compliance Officer will begin either an informal or formal process (depending on the request of the member of the School District community alleging harassment), or the Compliance Officer will designate a specific individual to conduct such a process. In the case of a formal complaint, the Compliance Officer will prepare, after consultation with the Staff Attorney, recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of unlawful harassment which are reported to them to a Compliance Officer within five (5) days of learning of the incident.

V. Investigation and Complaint Procedure

Except for Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Program or Activities, any employee or other member of the School District community or Third Party who believes that they have been subjected to unlawful harassment may seek resolution of the complaint through the procedures described below. The formal complaint process involves an investigation of the Complainant's claims of harassment or retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful harassment or

retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education, Office for Civil Rights (OCR), the Florida Commission on Human Relations (FCHR), and/or the Equal Employment Opportunity Commission (EEOC).

A. Informal Complaint Procedure

The goal of the informal complaint procedure is to promptly stop inappropriate behavior and to facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student, other member of the School District community, or Third Party who alleges unlawful harassment or retaliation. This informal procedure is not required as a precursor to the filing of a formal complaint.

Employees, other members of the School District community, or Third Parties who believe that they have been unlawfully harassed or retaliated against may initiate their complaint through this informal complaint process, but are not required to do so. The informal process is only available in those circumstances where the Complainant and the Respondent mutually agree to participate in it.

The Complainant may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

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

As an initial course of action, if a Complainant feels comfortable and safe in doing so, the individual should tell or otherwise inform the Respondent that the alleged harassing conduct is unwelcome and must stop. The Complainant should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officer is available to support and counsel individuals when taking this initial step or to intervene on behalf of the Complainant if requested to do so. A Complainant who is uncomfortable or unwilling to directly approach the Respondent about the allegedly inappropriate conduct may file an

informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

A Complainant may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator; (2) to the Superintendent or other District-level employee; and/or (3) directly to one of the Compliance Officers.

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

The School District's informal complaint procedure is designed to provide employees, other members of the School District community, or Third Parties who believe they are being unlawfully harassed by another individual with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the Complainant, informal resolution may involve, but not be limited to, one or more of the following:

1. Advising the Complainant about how to communicate the unwelcome nature of the behavior to the Respondent.

2. Distributing a copy of this policy as a reminder to the individuals in the school building or office where the Respondent works or attends.

3. If both parties agree, the Compliance Officer may arrange and facilitate a meeting or mediation between the Complainant and Respondent to work out a mutual resolution.

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

All materials generated as part of the informal complaint process will be retained by the Compliance Officers or designee in accordance with the Board's records retention policy. (See Policy 8310 and Policy 8320)

B. Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or the Complainant, from the outset, elects to file a formal complaint, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process as described below shall be implemented.

This formal complaint process is not intended to interfere with the rights of an employee, other member of the School District community, or third party to pursue a complaint of unlawful harassment with the United States Department of Education, Office for Civil Rights, the Florida Civil Rights Commission, or the Equal Employment Opportunity Commission.

The Complainant may file a formal complaint, either orally or in writing with a teacher, principal, or other District official, the Compliance Officer, Superintendent, or other District official. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, principal, or other District official, the Compliance Officer, Superintendent, or other District official, either orally or in writing, about any complaint of harassment, that employee must report such information to the Compliance Officer within two (2) days.

Throughout the course of the process, as described herein, the Compliance Officer should keep the parties reasonably informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter the Compliance Officer will prepare a written summary of the oral interview, and the complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the Compliance Officer will consider

whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation including but not limited to a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the Compliance Officer should consult the Complainant to assess his/her agreement to any action deemed appropriate. If the Complainant is unwilling to consent to any change that is deemed appropriate by the Compliance Officer, the Compliance Officer may still take whatever actions deemed appropriate in consultation with the Superintendent and/or Board Attorney.

Within two (2) days of receiving a formal complaint, the Compliance Officer or a designee will initiate a formal investigation to determine whether the complainant has been subjected to offensive conduct/harassment/retaliation. The Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the Respondent that a formal complaint has been received. The respondent will be informed about the nature of the allegations and a copy of any relevant policies and/or administrative procedures and the Board's anti-harassment policy shall be provided to the respondent at that time. The respondent must also be informed of the opportunity to submit a written response to the formal complaint within five (5) days.

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

1. interviews with the Complainant;

2. interviews with the Respondent;

3. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;

4. consideration of any documentation or other evidence presented by the complainant, respondent, or any other witness which is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer/designee shall consult with the Staff Attorney. A written report shall then be prepared and delivered to the Superintendent which summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to

whether the Respondent engaged in unlawful harassment/retaliation of the Complainant. The Compliance Officer's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used. The Compliance Officer may consult with the Board Attorney before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) days of receiving the report of the Compliance Officer or the designee, the Superintendent must either issue a written decision regarding whether or not the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the complainant and the respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.

The decision of the Superintendent shall be final.

The Superintendent reserves the right to investigate and resolve a complaint or report of unlawful harassment regardless of whether the member of the School District community or Third Party alleging the unlawful harassment pursues the complaint. The Superintendent also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Superintendent.

The parties may be represented, at their own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

VI. Privacy/Confidentiality

The School District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure

obligations. All records generated under the terms of this policy and related administrative procedures shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.

During the course of a formal investigation, the Compliance Officer or designee will instruct all members of the School District community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that is learned or provided during the course of the investigation.

All public records created as a part of an investigation of a complaint of harassment will be maintained by the Compliance Officer in accordance with the Board's records retention policy. Any records which are considered student records in accordance with the Family Educational Rights and Privacy Act will be maintained in a manner consistent with the provisions of the Federal and State laws.

VII. Sanctions and Monitoring

The Superintendent shall vigorously enforce the Board's prohibitions against unlawful harassment and bullying by taking appropriate action reasonably calculated to stop the harassment/retaliation/bullying and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. Disciplinary action up to and including the discharge of an employee may occur if an employee is found to have wrongfully and intentionally accused another of an act of bullying or harassment. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Superintendent may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s). Where the Superintendent becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

VIII. Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may

intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

IX. Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any teacher or school employee who knows or suspects that a child under the age of eighteen (18) is a victim of child abuse or neglect to immediately report that knowledge or suspicion to the Department of Children and Family Services. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the complainant, a report of such knowledge must be made in accordance with State law and Board policy.

If the Compliance Officer or a designee has reason to believe that the complainant has been the victim of criminal conduct as defined under Florida law, such knowledge should be reported to local law enforcement.

Any reports made to the local child protection service or to local law enforcement shall not terminate the Compliance Officer or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

X. Mandatory Reporting of Misconduct by Certificated Employees

The Superintendent is required by State law and Board Policy 8141 to report

alleged misconduct by certificated employees of the District that affects the health, safety, or welfare of a student. In accordance with Board policy and State law, the Superintendent shall investigate each allegation of such conduct and, if confirmed, shall report such misconduct pursuant to Policy 8141.

XI. Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding this policy and harassment in general, will be age and content appropriate.

XII. Retention of Investigatory Records and Materials

The Compliance Officer is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all information, documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and received as part of an investigation, including, but not limited to:

A. all written reports/allegations/complaints/statements;

B. narratives of all verbal reports/allegations/complaints/statements;

C. a narrative of all actions taken by District personnel;

D. any written documentation of actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities;

E. written witness statements;

F. narratives of, notes from, or audio, video, or digital recordings of witness statements;

G. all documentary evidence;

H. e-mails, texts, or social media posts pertaining to the investigation;

I. contemporaneous notes in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.) pertaining to the investigation;

J. written disciplinary sanctions issued to students or employees and a narrative of verbal disciplinary sanctions issued to students or employees for violations of the policies and procedures prohibiting discrimination or harassment;

K. dated written determinations to the parties;

L. dated written descriptions of verbal notifications to the parties;

M. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;

N. documentation of any supportive measures offered and/or provided to the Complainant and/or the Respondent, including no-contact orders issued to both parties, the dates the no-contact orders were issued, and the dates the parties acknowledged receipt of the no-contact orders;

O. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks);

P. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment; and

Q. documentation of any training provided to District personnel related to this policy, including but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy.

The information, documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal and/or State law (e.g., student records).

The information, documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, and Policy 8320 for not less than three (3) years, but longer if required by the District's records retention schedule.

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Revised 4/12/22
Revised 3/28/23

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Legal

F.S. 110.1221

F.S. 250.481

F.S. 760.01

F.S. 760.10

F.S. 784.049

F.S. 1000.05

F.S. 1006.07

F.S. 1006.147

20 U.S.C. 1400 et seq., The Individuals with Disabilities Improvement Act of 2004, as amended (commonly known as the Individuals with Disabilities Act)

42 U.S.C. 2000d et seq.

42 U.S.C. 2000e et seq.

29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967

29 U.S.C. 794, Rehabilitation Act of 1973

29 C.F.R. Part 1635

29 U.S.C. 6101, The Age Discrimination Act of 1975

38 U.S.C. 4301 et seq., The Uniformed Services Employment and Reemployment Rights Act

42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

20 U.S.C. 1681 et seq.

42 U.S.C. 1983

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

Last Modified by Frankie St James on May 29, 2024

4362 - ANTI-HARASSMENT

I. General Policy Statement

It is the policy of the School Board to maintain an educational and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board. Further, the Board prohibits the bullying of any employee as set forth in F.S. 1006.147.

The Superintendent will vigorously enforce its prohibition against discriminatory harassment on the basis of race (including anti-Semitism [as defined in Bylaw 0100]), ethnicity, color, national origin, sex (including sexual orientation, gender status, or gender identity), disability (including HIV, AIDS, or sickle cell trait), pregnancy, marital status, age (except as authorized by law), religion, military status, ancestry, or genetic information which are classes protected by State and/or Federal law (collectively, "protected classes"; hereinafter referred to as unlawful harassment), and encourages those within the School District community as well as Third Parties, who feel aggrieved to seek assistance to rectify such problems. The Superintendent will investigate all allegations of unlawful harassment and in those cases where unlawful harassment is substantiated, the Superintendent will take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

The District will offer counseling services to any staff member found to have been subjected to unlawful harassment, and, where appropriate, the person(s) who committed the unlawful harassment.

Further, nothing in this policy shall be construed to abridge the rights ~~of students or~~ of school employees that are protected by the First Amendment to the Constitution of the United States.

II. Other Violations of the Anti-Harassment Policy

The Superintendent will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.

B. Filing a malicious or knowingly false report or complaint of unlawful harassment.

C. Disregarding, failing to investigate adequately, or delaying the investigation of allegations of unlawful harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

III. Definitions

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

Complainant is the individual who alleges, or is alleged, to have been subjected to unlawful harassment, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

Respondent is the individual who has been alleged to have engaged in unlawful harassment, regardless of whether the reporting party files a formal complaint or is seeking an informal resolution to the alleged harassment.

School District community means students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

Day(s): Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

A. Bullying

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more ~~students or~~ employees and that bullying is based upon sex, race (including anti-Semitism), color, national origin, religion, or disability, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated

written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that ~~is severe or pervasive enough to create~~creates an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation. This unlawful harassment may include, but not be limited to, the following:

1. teasing;
2. social exclusion;
3. threats;
4. intimidation;
5. stalking;
6. cyberstalking;
7. cyberbullying;
8. physical violence;
9. theft;
10. sexual, religious, or racial harassment;
11. public or private humiliation; or
12. destruction of property.

B. "Harassment" means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct directed against a ~~student or a~~ school employee that:

1. places a ~~student or~~ school employee in reasonable fear of harm to his/her person or damage to his/her property;
2. has the effect of substantially interfering with ~~a student's~~an employee's educational performance, opportunities, or benefits; or
3. has the effect of substantially disrupting the orderly operation of a school.

C. "Bullying" and "harassment" also include:

1. Retaliation against a school employee by a student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.

2. Perpetuation of conduct listed under the definitions of "bullying," "cyberbullying," or "harassment" by an individual or group with intent to demean, dehumanize, embarrass, or cause physical harm to a school employee by:

    a. incitement or coercion;

    b. accessing or knowingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the District school system; or,

    c. acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

D. Sexual Harassment

For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

1. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.

2. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.

3. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of any gender against a person of the same or another gender.

Sexual Harassment covered by Policy 2266 – Nondiscrimination on the Basis of Sex in Education Programs or Activities is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.

Prohibited acts that constitute sexual harassment under this policy may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

1. Unwelcome sexual propositions, invitations, solicitations, and flirtations.

2. Unwanted physical and/or sexual contact.

3. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs, activities, or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.

4. Unwelcome verbal expressions, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes, or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.

5. Sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings, or literature placed in the work or educational environment, that may reasonably embarrass or offend individuals.

6. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.

7. Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities.

8. Speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.

9. Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship.

10. Leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin.

11. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.

12. Consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.

13. Verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex stereotyping that does not involve conduct of a sexual nature.

14. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based and gender-based conduct must be sufficiently severe, pervasive, or~~and~~ persistent such that it adversely affects, limits, or denies an individual's employment, or such that it creates a hostile or abusive employment or educational environment.

D. Sexual Cyber Harassment

Pursuant to Florida law, "sexual cyber harassment" means to publish to an Internet website or disseminate through electronic means to another person a sexually explicit image of a person that contains or conveys the personal identification information of the depicted person without the depicted person's consent, contrary to the depicted person's reasonable expectation that the image would remain private, for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person. Evidence that the depicted person sent a sexually explicit image to another person does not, on its own, remove his/her reasonable expectation of privacy for that image. Sexual cyber harassment may be a form of sexual harassment.

E. Race/Color Harassment (Including Anti-Semitism)

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Prohibited anti-Semitism harassment occurs when unwelcome physical,

verbal, or nonverbal conduct is based upon an individual's Jewish heritage and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is based upon a certain perception of the Jewish people, which may be expressed as hatred toward Jewish people, rhetorical and physical manifestations of anti-Semitism directed toward a person, his/her property, or toward Jewish community institutions or religious facilities.

F. Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

G. National Origin Harassment

Prohibited national origin harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

H. Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disability, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's

genetic information.

I. Pregnancy Harassment

Prohibited pregnancy harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's pregnancy and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's pregnancy and condition of pregnancy.

IV. Reports and Complaints of Harassing Conduct

Members of the School District community and Third Parties, which includes all staff, are encouraged to promptly report incidents of unlawful harassing conduct to an administrator, supervisor, or other School District official so that the Superintendent may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other District official who receives such a report shall file it with the District's Anti-Harassment Compliance Officer within two (2) days of receiving the report of harassment. Anonymous reports of an alleged act of bullying or harassment may be reported to an administrator, supervisor, or other School District official; however, formal disciplinary action may not be based solely on an anonymous report.

Members of the School District community and Third Parties who believe they have been unlawfully harassed by another member of the School District community or a Third Party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment or participation in educational or extra-curricular programs unless the Complainant makes the complaint maliciously or with knowledge that it is false. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of reported act of bullying and/or harassment in accordance with Policy 5517.01 – Bullying and Harassment, the principal or his/her designee believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on sex, race (including anti-Semitism), color, national origin, religion, or disability, the principal or his/her designee will report the act of bullying and/or harassment to one of the Compliance Officers who shall investigate the allegation in accordance with this policy. If the alleged harassment involves Sexual Harassment as defined by Policy 2266, the

matter will be handled in accordance with the grievance process and procedures outlined in Policy 2266. While the Compliance Officer investigates the allegation, or while the matter is being addressed pursuant to Policy 2266, the Principal shall suspend Policy 5517.01 investigation to await the Compliance Officer's written report or the determination or responsibility pursuant to Policy 2266. The Compliance Officer shall keep the Principal informed of the status of the Policy 1362 investigation and provide the Principal with a copy of the resulting written report. Likewise, the Title IX Coordinator will provide the Principal with the determination of responsibility that results from the Policy 2266 grievance process.

A. Compliance Officer

For current contact information of the School District's Section 504 Compliance Officer/ADA Coordinator and Title IX Coordinators, please visit www.manateeschools.net/titleix or call (941) 708-8770.

B. Publication Required

The name(s), title(s), and contact information of these individuals will be published annually in the Staff handbooks and/or on the School District's website.

The names, titles, and/or contact information of the persons presently serving as Compliance Officer may change from time to time, and such changes shall be deemed technical corrections within the meaning of Bylaw 0131.1 and shall be made pursuant to that bylaw.

E. Duties and Responsibilities

A Compliance Officer will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the School District community, and Third Parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

Any Board employee who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Anti-Harassment Compliance Officers within two (2) days. Thereafter, the Compliance Officer or designee must contact the Complainant, if over age eighteen (18) or the Complainant's parents/guardians if the Complainant is under the age eighteen (18), within two (2) days to advise of the Superintendent's intent to investigate the alleged misconduct, including the obligation of the compliance officer or designee to conduct an investigation following all

the procedures outlined for a formal complaint.

The Compliance Officer are assigned to accept complaints of unlawful harassment directly from any member of the School District community or a visitor to the District or to receive complaints which are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, the Compliance Officer will begin either an informal or formal process (depending on the request of the member of the School District community alleging harassment), or the Compliance Officer will designate a specific individual to conduct such a process. In the case of a formal complaint, the Compliance Officer will prepare, after consultation with the Staff Attorney, recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of unlawful harassment which are reported to them to a Compliance Officer within five (5) days of learning of the incident.

V. Investigation and Complaint Procedure

Except for Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Program or Activities, any employee or other member of the School District community or Third Party who believes that they have been subjected to unlawful harassment may seek resolution of the complaint through the procedures described below. The formal complaint process involves an investigation of the Complainant's claims of harassment or retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful harassment or retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education, Office for Civil Rights (OCR), the Florida Commission on Human Relations (FCHR), and/or the Equal Employment Opportunity Commission (EEOC).

A. Informal Complaint Procedure

The goal of the informal complaint procedure is to promptly stop inappropriate behavior and to facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a

less formal option for a student, other member of the School District community, or Third Party who alleges unlawful harassment or retaliation. This informal procedure is not required as a precursor to the filing of a formal complaint.

Employees, other members of the School District community, or Third Parties who believe that they have been unlawfully harassed or retaliated against may initiate their complaint through this informal complaint process, but are not required to do so. The informal process is only available in those circumstances where the Complainant and the Respondent mutually agree to participate in it.

The Complainant may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

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

As an initial course of action, if a Complainant feels comfortable and safe in doing so, the individual should tell or otherwise inform the Respondent that the alleged harassing conduct is unwelcome and must stop. The Complainant should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officer is available to support and counsel individuals when taking this initial step or to intervene on behalf of the Complainant if requested to do so. A Complainant who is uncomfortable or unwilling to directly approach the Respondent about the allegedly inappropriate conduct may file an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

A Complainant may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator; (2) to the Superintendent or other District-level employee; and/or (3) directly to one of the Compliance Officers.

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

The School District's informal complaint procedure is designed to provide employees, other members of the School District community, or Third Parties who believe they are being unlawfully harassed by another individual with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the Complainant, informal resolution may

involve, but not be limited to, one or more of the following:

1. Advising the Complainant about how to communicate the unwelcome nature of the behavior to the Respondent.

2. Distributing a copy of this policy as a reminder to the individuals in the school building or office where the Respondent works or attends.

3. If both parties agree, the Compliance Officer may arrange and facilitate a meeting or mediation between the Complainant and Respondent to work out a mutual resolution.

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

All materials generated as part of the informal complaint process will be retained by the Compliance Officers or designee in accordance with the Board's records retention policy. (See Policy 8310 and Policy 8320)

B. Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or the Complainant, from the outset, elects to file a formal complaint, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process as described below shall be implemented.

This formal complaint process is not intended to interfere with the rights of an employee, other member of the School District community, or third party to pursue a complaint of unlawful harassment with the United States Department of Education, Office for Civil Rights, the Florida Civil Rights Commission, or the Equal Employment Opportunity Commission.

The Complainant may file a formal complaint, either orally or in writing with a teacher, principal, or other District official, the Compliance Officer, Superintendent, or other District official. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however,

individuals should make every effort to file a complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, principal, or other District official, the Compliance Officer, Superintendent, or other District official, either orally or in writing, about any complaint of harassment, that employee must report such information to the Compliance Officer within two (2) days.

Throughout the course of the process, as described herein, the Compliance Officer should keep the parties reasonably informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter the Compliance Officer will prepare a written summary of the oral interview, and the complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation including but not limited to a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the Compliance Officer should consult the Complainant to assess his/her agreement to any action deemed appropriate. If the Complainant is unwilling to consent to any change that is deemed appropriate by the Compliance Officer, the Compliance Officer may still take whatever actions deemed appropriate in consultation with the Superintendent and/or Board Attorney.

Within two (2) days of receiving a formal complaint, the Compliance Officer or a designee will initiate a formal investigation to determine whether the complainant has been subjected to offensive conduct/harassment/retaliation. The Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the Respondent that a formal complaint has been received. The respondent will be informed about the nature of the allegations and a copy of any relevant policies and/or administrative procedures and the Board's anti-harassment policy shall be provided to the respondent at that time. The respondent must also be informed of the opportunity to submit a written response to the formal complaint within five (5) days.

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

1. interviews with the Complainant;

2. interviews with the Respondent;

3. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;

4. consideration of any documentation or other evidence presented by the complainant, respondent, or any other witness which is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer/designee shall consult with the Staff Attorney. A written report shall then be prepared and delivered to the Superintendent which summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Respondent engaged in unlawful harassment/retaliation of the Complainant. The Compliance Officer's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used. The Compliance Officer may consult with the Board Attorney before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) days of receiving the report of the Compliance Officer or the designee, the Superintendent must either issue a written decision regarding whether or not the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the complainant and the respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.

The decision of the Superintendent shall be final.

The Superintendent reserves the right to investigate and resolve a complaint or report of unlawful harassment regardless of whether the member of the School District community or Third Party alleging the

unlawful harassment pursues the complaint. The Superintendent also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Superintendent.

The parties may be represented, at their own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

VI. Privacy/Confidentiality

The School District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and related administrative procedures shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.

During the course of a formal investigation, the Compliance Officer or designee will instruct all members of the School District community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that is learned or provided during the course of the investigation.

All public records created as a part of an investigation of a complaint of harassment will be maintained by the Compliance Officer in accordance with the Board's records retention policy. Any records which are considered student records in accordance with the Family Educational Rights and Privacy Act will be maintained in a manner consistent with the provisions of the Federal and State laws.

VII. Sanctions and Monitoring

The Superintendent shall vigorously enforce the Board's prohibitions against unlawful harassment and bullying by taking appropriate action reasonably calculated to stop the harassment/retaliation/bullying and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee ~~or the suspension/expulsion of a student~~. Disciplinary action up to and including the discharge of an employee

may occur if an employee is found to have wrongfully and intentionally accused another of an act of bullying or harassment. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Superintendent may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

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

VIII. Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

IX. Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any teacher or school employee who knows or suspects that a child under the age of eighteen (18) is a victim of child abuse or neglect to immediately report that knowledge or suspicion to the Department of Children and Family Services. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or

suspect that the alleged conduct reasonably indicates abuse or neglect of the complainant, a report of such knowledge must be made in accordance with State law and Board policy.

If the Compliance Officer or a designee has reason to believe that the complainant has been the victim of criminal conduct as defined under Florida law, such knowledge should be reported to local law enforcement.

Any reports made to the local child protection service or to local law enforcement shall not terminate the Compliance Officer or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

X. Mandatory Reporting of Misconduct by Certificated Employees

The Superintendent is required by State law and Board Policy 8141 to report alleged misconduct by certificated employees of the District that affects the health, safety, or welfare of a student. In accordance with Board policy and State law, the Superintendent shall investigate each allegation of such conduct and, if confirmed, shall report such misconduct pursuant to Policy 8141.

XI. Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding this policy and harassment in general, will be age and content appropriate.

XII. Retention of Investigatory Records and Materials

The Compliance Officer is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all information, documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and received as part of an investigation, including, but not limited to:

A. all written reports/allegations/complaints/statements;

B. narratives of all verbal reports/allegations/complaints/statements;

C. a narrative of all actions taken by District personnel;

D. any written documentation of actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities;

E. written witness statements;

F. narratives of, notes from, or audio, video, or digital recordings of witness statements;

G. all documentary evidence;

H. e-mails, texts, or social media posts pertaining to the investigation;

I. contemporaneous notes in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.) pertaining to the investigation;

J. written disciplinary sanctions issued to students or employees and a narrative of verbal disciplinary sanctions issued to students or employees for violations of the policies and procedures prohibiting discrimination or harassment;

K. dated written determinations to the parties;

L. dated written descriptions of verbal notifications to the parties;

M. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;

N. documentation of any supportive measures offered and/or provided to the Complainant and/or the Respondent, including no-contact orders issued to both parties, the dates the no-contact orders were issued, and the dates the parties acknowledged receipt of the no-contact orders;

O. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks);

P. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment; and

Q. documentation of any training provided to District personnel related to this policy, including but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and

responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy.

The information, documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal and/or State law (e.g., student records).

The information, documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, and Policy 8320 for not less than three (3) years, but longer if required by the District's records retention schedule.

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F.S. 110.1221

F.S. 250.481

F.S. 760.01

F.S. 760.10

F.S. 784.049

F.S. 1000.05

F.S. 1006.07

F.S. 1006.147

20 U.S.C. 1400 et seq., The Individuals with Disabilities Improvement Act of 2004, as amended (commonly known as the Individuals with Disabilities Act)

42 U.S.C. 2000d et seq.

42 U.S.C. 2000e et seq.

29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967

29 U.S.C. 794, Rehabilitation Act of 1973

29 C.F.R. Part 1635

29 U.S.C. 6101, The Age Discrimination Act of 1975

38 U.S.C. 4301 et seq., The Uniformed Services Employment and Reemployment Rights Act

42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

20 U.S.C. 1681 et seq.

42 U.S.C. 1983

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

Last Modified by Frankie St James on May 29, 2024

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5517.01 - **BULLYING AND HARASSMENT**

Statement Prohibiting Bullying and Harassment

It is the policy of the School District that all of its students, District employees, and any other persons have an educational setting that is safe, secure, and free from harassment and bullying of any kind. Conduct that constitutes bullying and harassment, as defined herein, is prohibited.

Bullying and harassment of school employees shall be addressed in accordance with Policy 1362, Policy 3362, and Policy 4362 - *Anti-Harassment*.

Definition of Bullying and Harassment

Bullying is the mistreatment of an individual or group characterized by a willful intent to cause harm and a perceived advantage in power. These acts can be socially, emotionally, or physically damaging in nature and include, but are not limited to, teasing, name calling, rumor spreading, exclusion, intimidation, threats, damaging personal property, stealing, public or private humiliation, stalking, pushing, shoving, or other physical attacks, and sexual, religious, or racial/ethnic harassment.

Harassment involves any threatening, insulting, or dehumanizing act or gesture which places an individual in reasonable fear of harm to his or her person or damage to his or her property, has the effect of substantially interfering with an individual's educational performance, opportunities, or benefits, or has the effect of substantially disrupting the orderly operation of a school or activity.

Bullying or harassment of any individual is prohibited:

A. during any education program or activity conducted by a District school;

B. during any school-related or school-sponsored program/activity or on a School District bus;

C. through the use of computers or other electronic devices which is initiated or accessed by any School District data system; or within the scope of the School District, meaning regardless of ownership, any computer, computer system, or computer network that is physically located on school property or at a school-related or school-sponsored program or activity; or

D. through the use of data or computer software that is accessed at a non-school-related location, activity, function, or program or through the use of technology or an electronic device that is not owned, leased, or used by the School District or school, if the bullying substantially interferes with or limits the victim's ability to participate in or benefit from the services, activities, or opportunities offered by a school or substantially disrupts the education process or orderly operation of a school.

Item D above does not require a school to staff or monitor any non-school-related activity, function, or program.

Bullying and harassment encompasses retaliation against an individual by another for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered bullying and harassment. Bullying and harassment also encompasses any perpetuation of the above conduct listed in the definitions of bullying and harassment by any individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by:

A. incitement or coercion

B. accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the District school system

C. acting in a manner that has an effect substantially similar to the effect of bullying or harassment

Bullying and harassment also encompasses cyberbullying. Cyberbullying is defined as bullying through the use of technology or any electronic communication, which includes, but is not limited to, any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photo-electronic system, or photo-optical system, including, but not limited to, electronic mail, Internet communications, instant messages, or facsimile communications. Cyberbullying includes the creation of a webpage or weblog in which the creator assumes the identity of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying also includes the distribution by electronic means of a communication to more than one (1) person or the posting of material on an electronic medium that may be accessed by one (1) or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

Cyberstalking, as defined in F.S. 784.048(1)(d), means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose. Addition definitions in F.S. 815.03 are also applicable.

Description of the Type of Behavior Expected from Each Student and Employee of the School District

The School District expects students to conduct themselves as appropriate for their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.

The School District believes that standards for student behavior must be set cooperatively through interaction among the students, parents/legal guardians, staff, and community members producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for District and community property on the part of students, staff, and community members. Since students learn by example, school administrators, faculty, staff, and volunteers will demonstrate appropriate behavior, treat others with civility and respect, and refuse to tolerate bullying or harassment.

Consequences for a Student or School District Employee who Commits an Act of Bullying or Harassment

Concluding whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action. Consequences and appropriate remedial action for students who commit acts of bullying or harassment may range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the Code of Student Conduct. Consequences and appropriate remedial action for a school employee found to have committed an act of bullying or harassment may be disciplined in accordance with District policies, procedures, and agreements. Additionally, acts of harassment by certified educators may result in a sanction against an educator's state issued certificate. (See State Board of Education Rule F.A.C. 6B-1.006, *The Principles of Professional Conduct of the Education Profession in Florida*) Consequences and appropriate remedial action for a visitor or volunteer, found to have committed an act of bullying or harassment shall be determined by the school administrator after consideration of the nature and circumstances of the act. This may include an official trespass warning or a report to the appropriate law enforcement agency.

Consequences for a Student or Employee of the School District who is Found to have Wrongfully and Intentionally Accused Another of an Act of Bullying or Harassment

Consequences and appropriate remedial action for a student found to have wrongfully and intentionally accused another of bullying or harassment range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the Code of Student Conduct. Consequences and appropriate remedial action for a school employee found to have wrongfully and intentionally accused another as a means of bullying or harassment may be disciplined in accordance

with District policies, procedures, and agreements. Consequences and appropriate remedial action for a visitor or volunteer, found to have wrongfully and intentionally accused another of bullying or harassment shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to the appropriate law enforcement agency.

Procedure for Reporting an Act of Bullying or Harassment, Including Provisions that Permit a Person to Anonymously Report such an Act

At each school, the principal or the principal's designee is responsible for receiving complaints alleging violations of this policy. All school employees are required to report alleged violations of this policy to the principal or the principal's designee. All other members of the school community, including students, parents/legal guardians, volunteers, and visitors are encouraged to report any act that may be a violation of this policy anonymously or in-person to the principal or principal's designee.

Each school in the District shall establish and prominently publicize to students, staff, volunteers, and parents/legal guardians how a report of bullying or harassment may be filed either in-person or anonymously and how this report will be acted upon. The victim of bullying or harassment, anyone who witnessed the bullying or harassment, and anyone who has credible information that an act of bullying or harassment has taken place may file a report of bullying or harassment. A school employee, school volunteer, student, parent/legal guardian or other persons who promptly reports in good faith an act of bullying or harassment to the appropriate school official and who makes this report in compliance with the procedures set forth in the District policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident. Submission of a good faith complaint or report of bullying or harassment will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments.

Any written or oral reporting of an act of bullying or harassment shall be considered an official means of reporting such act(s). Reports may be made anonymously, but formal disciplinary action may not be based solely on an anonymous report.

Process to Investigate Whether a Reported Act of Bullying or Harassment is Within the Scope of the District School System and, if not, a Process for Referral of such an Act to the Appropriate Jurisdiction

Computers without web-filtering software or computers with web-filtering software that is disabled shall be used when complaints of cyberbullying are investigated.

A principal or designee who is trained in investigative procedures will initiate an investigation of whether an act of bullying or harassment is within the jurisdiction of the School District.

The principal or designee will provide a report on results of the investigation with recommendations for the principal to make a determination if an act of bullying or harassment falls within the jurisdiction of the District.

If it is within jurisdiction of the District, follow the procedures for investigating bullying and harassment under Procedure for the Prompt Investigation of a Report of Bullying or Harassment and the Persons Responsible for the Investigation below.

If it is outside jurisdiction of the District, and determined a criminal act, refer to appropriate law enforcement.

If it is within jurisdiction of the District and determined a criminal act, refer to appropriate law enforcement agency and do not proceed to investigation under Procedure for the Prompt Investigation of a Report of Bullying or Harassment and the Persons Responsible for the Investigation below until proper clearance by law enforcement.

If it is outside jurisdiction of the District, and determined not a criminal act, inform parents/legal guardians of all students involved.

Procedure for the Prompt Investigation of a Report of Bullying or Harassment and the Persons Responsible for the Investigation

The principal or designee who is trained in investigative procedures will initiate the investigation. The individual who conducts the investigation may not be the accused perpetrator (harasser or bully) or victim.

Documented interviews of the victim, alleged perpetrator, and witnesses are conducted privately, separately, and are confidential. Each individual (victim, alleged perpetrator, and witnesses) will be interviewed separately and at no time will the alleged perpetrator and victim be interviewed together.

The investigator shall collect and evaluate the facts including, but not limited to:

A. description of incident(s) including nature of the behavior and the context in which the alleged incident(s) occurred, etc.;

B. how often the conduct occurred;

C. whether there were past incidents or past continuing patterns of behavior;

D. the characteristics of parties involved (i.e., grade, age, etc.);

E. the identity and number of individuals who participated in bullying or harassing behavior;

F. where the alleged incident(s) occurred;

G. the date, time, and method in which the parents/legal guardians of all parties involved were contacted.

The investigation shall be completed in no more than ten (10) school days. The highest level of confidentiality possible will be upheld regarding the submission of a complaint or a report of bullying and harassment, and the investigative procedures that follow.

The investigation of a reported act of bullying or harassment is deemed to be a school-related activity and begins with a report of such an act. Incidents that require a reasonable investigation when reported to appropriate school authorities shall include alleged incidents of bullying or harassment allegedly committed against a child while the child is en route to school aboard a school bus or at a school bus stop.

The physical location or time access of a computer-related incident cannot be raised as a defense in any disciplinary action initiated.

Procedure for Providing Immediate Notification to the Parents/Legal Guardians of a Victim of Bullying or Harassment and the Parents/Legal Guardians of the Perpetrator of an Act of Bullying or Harassment as well as, Notification to All Local Agencies where Criminal Charges may be Pursued against the Perpetrator

The principal, or designee, shall promptly report via telephone, personal conference, or in writing, the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident(s) has been initiated. Notification must be consistent with the student privacy rights under the applicable provisions of the *Family Educational Rights and Privacy Act of 1974* (FERPA).

If the bullying incident results in the perpetrator being charged with a crime, the principal, or designee, shall by telephone or in writing by first class mail, inform parents/legal guardian of the victim(s) involved in the bullying incident about the unsafe school choice option (No Child Left Behind, Title IX, Part E, Subpart 2, Section 9532) that states "...a student who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school.".

Once the investigation under Process to Investigate Whether a Reported Act of Bullying or Harassment is within the Scope of the District School System and, if not, a Process for Referral of such an Act to the Appropriate Jurisdiction above by the school has been completed and it has been determined that criminal charges may be pursued against the perpetrator, all appropriate local law enforcement agencies will be notified by telephone or in writing.

Procedure to Refer Victims and Perpetrators of Bullying or Harassment for Counseling

Any teacher or parent/legal guardian may request informal consultation with school staff (e.g., school counselor or other District student services staff) to determine the severity of concern and appropriate steps to address the concern (the involved students' parents or legal guardian may be included).

The referral process to provide professional assistance or services shall include a process by which school personnel or parent/legal guardian may refer a student to a school intervention team with a problem-solving focus for consideration of appropriate services. Parent or legal guardian notification is required at this point.

If a formal discipline report or formal complaint is made, the principal or designee must make a determination based on interview questions or observation as to the need for a referral to victim services provided within the school. Further assessment by school counselor or other District student services staff may warrant community referrals, at which time parent involvement is required.

A school-based component to address intervention and assistance as determined appropriate by the intervention team will include:

A. counseling and support to address the needs of the victims of bullying or harassment

B. research-based counseling/interventions to address the behavior of the students who bully and harass others (e.g., empathy training, anger management)

C. research-based counseling/interventions which includes assistance and support provided to parents/legal guardians, if deemed necessary or appropriate

Any change in services for students with disabilities eligible under IDEA will be determined by an IEP team.

Procedure for Including Incidents of Bullying or Harassment in the School's Report of Data Concerning School Safety and Discipline Data Required under F.S. 1006.09(6)

The School District will utilize Florida's School Environmental Safety Incident Reporting (SESIR) Statewide Report on School Safety and Discipline Data, which includes bullying/harassment as an incident code as well as bullying-related as a related element code.

Any incident of bullying or harassment will not be reported as a SESIR violation unless it meets the following definition:

> *The SESIR definition of bullying is systematically and chronically inflicting physical hurt or psychological distress on one (1) or more students or employees that is severe or pervasive enough to create an intimidating, hostile, or offensive environment; or unreasonably interfere with the individual's school performance or participation. The SESIR definition of harassment is any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that 1) places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property; 2) has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or 3) has the effect of substantially disrupting the orderly operation of a school including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose.*

If a bullying or harassment incident occurs and meets the above definition, then it will be reported in SESIR with either the bullying or harassment code. If the bullying or harassment results in any of the following SESIR incidents the incident will be coded appropriately using the relevant incident code AND the related element code entitled bullying-related. Those incidents are:

A. alcohol

B. arson

C. battery

D. breaking and entering

E. disruption on campus

F. drug sale/distribution excluding alcohol

G. drug use/possession excluding alcohol

H. fighting

I. homicide

J. kidnapping

K. larceny/theft

L. robbery

M. sexual battery

N. sexual harassment

O. sexual offenses

P. threat/intimidation

Q. trespassing

R. tobacco

S. vandalism

T. weapons possession

U. other major (other major incidents that do not fit within the other definitions)

Discipline and referral data will be recorded in Student Discipline/Referral Action Report and Automated Student Information System for acts of bullying.

The District will provide bullying incident, discipline, and referral data to the Florida Department of Education in the format requested, through Surveys 2, 3 and 5 from Education Information and Accountability Services, and at designated dates provided by the department. Data reporting on bullying, harassment, unsubstantiated bullying, unsubstantiated harassment, sexual harassment and threat/intimidation incidents as well as any bullying-related incidents that have as a basis sex, race, or disability should include the incident basis. Victims of these offenses should also have the incident basis (sex, race, or disability) noted in their student record.

Procedure for Providing Instruction to Students, Parents/Legal Guardians, Teachers, School Administrators, Counseling Staff, and School Volunteers on Identifying, Preventing, and Responding to Bullying or Harassment, Including Instruction on Recognizing Behaviors that Lead to Bullying and Harassment and Taking Appropriate Preventive Action Based on those Observations

The District ensures that schools sustain healthy, positive, and safe learning environments for all students. It is important to change the social climate of the school and the social norms with regards to bullying. This requires the efforts of everyone in the school environment – teachers, administrators, counselors, school nurses, other non-teaching staff (such as bus drivers, custodians, cafeteria workers, or school librarians), parents/legal guardians, and students.

Students, parents/legal guardians, teachers, school administrators, counseling staff, and school volunteers shall be given instruction at a minimum on an annual basis on the District's policy and regulations against bullying and harassment. The instruction shall include evidence-based methods of preventing bullying and harassment, as well as how to effectively identify and respond to bullying in schools.

Procedure for Regularly Reporting to a Victim's Parents/Legal Guardians the Actions Taken to Protect the Victim

The principal or designee shall by telephone or in writing report the occurrence of any incident of bullying as defined by this policy to the parent or legal guardian of all students involved within twenty-four (24) hours of the initiation of an investigation of the incident. According to the level of infraction, parents/legal guardians will be notified by telephone or writing of actions being taken to protect the child. The frequency of notification will depend on the seriousness of the bullying or harassment incident. Notification must be consistent with the student privacy rights under the applicable provisions of FERPA.

Procedure for Publicizing the Policy which must Include its Publication in the Code of Student Conduct Required under F.S. 1006.07(2) and in All Employee Handbooks

At the beginning of each school year, the Superintendent or designee shall, in writing, inform school staff, parents/legal guardians, or other persons responsible for the welfare of a student of the District's student safety and violence prevention policy.

Each District school shall provide notice to students and staff of this policy through appropriate references in the code of student conduct and employee handbooks, or through other reasonable means. The Superintendent shall also make all contractors contracting with the District aware of this policy.

Each school shall develop an annual process for discussing the School District policy on bullying and harassment with students in a student assembly or other reasonable format. Reminders of the policy and bullying prevention messages such as posters and signs will be displayed around each school and on the District school buses.

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F.S. 110.1221

F.S. 784.048

F.S. 1002.20

F.S. 1006.13

F.S. 1006.147

Florida Department of Education Revised Model Policy (July 2013)

No Child Left Behind (NCLB), Title IX, Part E, Subpart 2, Section 9532

Book	Policy Manual
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Title	Copy of CURRICULUM DEVELOPMENT
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Adopted	June 27, 2017
Last Revised	November 14, 2023

2210 - **CURRICULUM DEVELOPMENT**

The School Board shall adopt the general scope of the curriculum program in accordance with State laws and regulations. The Superintendent shall develop the District curriculum for the review and approval of the Board. The School District's curriculum shall be aligned with Florida statutes and with the Florida Department of Education guidelines and shall be based on the following:

A. student standards as designated by the State of Florida

B. State course descriptions

C. assessments including screening, diagnostics, and formative assessments

D. analysis of assessment results including the results of progress monitoring

E. students' needs as determined by studies, surveys, and continuous evaluation of curriculum effectiveness

Classroom instruction is delivered to reflect:

A. standards-based lessons, standards-based lesson plans and activities;

B. alignment of curriculum, instruction, and assessment;

C. principles of effective instructional design;

D. classroom decisions based on periodic progress monitoring;

E. classroom assessments that drive the instructional process; and

F. evaluation of student work and the assignment of grades based on achievement of the District curriculum standards.

All course materials and verbal or visual instruction shall conform to the requisites and intent of all Florida statues, State Board of Education rules, and District curriculum and instructional programs. All instructional materials including teachers' manuals, audiovisual, or other supplementary instructional material shall be available at individual schools for inspection by parents or guardians of the children engaged in such classes.

Schools shall implement the K-12 District curriculum. Schools shall make sure that students with disabilities have access to the District curriculum to the greatest extent possible with appropriate accommodations and modifications.

Any modification of the curriculum at the school level must be submitted to the Deputy Superintendent for Instructional Services on the Curriculum Modification Request Form according to the District timeline and included in the school improvement plan for the school.

Teachers develop and implement standards-based lesson plans that:

A. identify content standards and benchmarks;

B. identify desired results;

C. determine acceptable evidence of achieving the desired results;

D. plan effective and engaging learning experiences and instruction;

E. evaluate the effectiveness of instruction and make modifications.

Required instruction shall include content in the areas of health and physical education, substance abuse prevention, violence prevention, character education, Veterans' sacrifices, patriotism, African American, women's and Hispanic contributions, Holocaust education, and all other content designated by statute. Community groups or organizations that seek to make presentations to students at the school site or as part of any school-related activity should contact the principal at the site. Principals shall refer all such requests to the appropriate level executive director who may request review by the health education advisory committee through the District curriculum team. The health education advisory committee may review such requests pursuant to the health education guidelines.

Parents or guardians have the right to review instructional materials. Principals shall make all materials, including textbooks, audiovisual materials, or other supplementary instructional materials, available for inspection upon request.

System of Comprehensive Reading Instruction

The District will implement a system of comprehensive reading instruction for students enrolled in prekindergarten through grade 12 and certain students who exhibit a substantial deficiency in early literacy. Annually, the Superintendent will develop and submit to the Board for approval a detailed reading instruction plan that outlines the components of the District's comprehensive system of reading instruction in accordance with F.S. 1003.4201 and F.A.C. 6A-6.053.

The ~~plan~~District's Comprehensive Evidence-Based Reading Plan (CERP) will include all District schools, including charter schools, unless a charter school elects to submit a plan independently from the District. The CERP shall also describe how the District prioritizes the assignment of highly effective teachers, as identified in F.S. 1012.34, to kindergarten through grade 2 and how reading coaches are assigned to individual schools. These two (2) provisions shall be approved by the Just Read, Florida Office. Once approved, the ~~reading instruction plan~~CERP, and any approved CERPs for each charter school sponsored by the District, will be submitted as required to the Florida Department of Education and Just Read, Florida! by August 1st.

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

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F.S. 120.54

F.S. 120.536(1)

F.S. 120.81(d)

F.S. 1001.215

F.S. 1001.41

F.S. 1001.42

F.S. 1001.51

F.S. 1003.41

F.S. 1003.4156

F.S. 1003.42

F.S. 1003.4201

F.S. 1003.4203

F.S. 1003.4205

F.S. 1003.421

F.S. 1003.4281

F.S. 1003.4282

F.S. 1003.4285

F.S. 1003.4286

F.S. 1003.4295

F.S. 1003.432

F.S. 1003.433

F.S. 1003.435

F.S. 1003.436

F.S. 1003.437

F.S. 1003.44

F.S. 1003.45

F.S. 1003.4505

F.S. 1003.451

F.S. 1003.453

F.S. 1003.455

F.S. 1003.46

F.S. 1003.47

F.S. 1004.64

F.S. 1008.22

F.S. 1008.23

F.S. 1008.25

F.S. 1008.34

F.S. 1011.62

Chapter I of Education Consolidation and Improvement Act of 1981

P.L. 97-35

F.A.C. 6A-6.053

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

Postsecondary Enrollment Programs

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

Students in grades 6 through 12 who meet eligibility criteria established under Florida law and by the State Board of Education may enroll in approved postsecondary programs while in attendance in the District. Secondary students participating in Career and Career Certificate Dual Enrollment will have the opportunity to earn industry certification. All Career Dual Enrollment courses under the Career Dual Enrollment Articulation Agreement will be weighted equally as Advanced Placement (AP) courses and will count towards high school graduation. (F.S. 1007.271(21)(c)) The District will pay for the cost of instructional materials for public high school students who are earning credit toward graduation under the dual enrollment program.

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

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

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

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

Early College Program

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

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

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

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

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

A. expanded curriculum offerings;

B. opportunities to study in more depth those areas of special interest or need;

C. opportunities to earn college credits while still in high school;

D. opportunities for financial support for taking college courses while still in high school; and

E. opportunities to experience college-level work and life prior to making final decisions about whether and/or where to attend college.

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

A. increased student responsibility for learning because of less instructional guidance;

B. reduced opportunities to participate in high school co-curricular and extra-curricular activities;

C. increased financial obligations for tuition, books, materials, and fees, if college credit only is sought;

D. potential loss of after-school employment opportunities;

E. possible effect on grade point average and class standing;

F. possible delay of graduation;

G. increased time for travel, study, etc.; and

H. exposure to mature subject matter and materials, including those of a graphic, explicit, violent, or sexual nature that will not be modified because of the student's participation.

Career Pathways Agreements Between Career Centers and Florida College System Institutions

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

A. outline certificate program completion requirements and any licenses or industry certifications that must be earned before enrolling in an associate degree program;

B. specify that articulated college credit will be awarded in accordance with the agreement upon initial enrollment in the associate degree program;

C. guarantee college credit toward an aligned associate degree program for students who graduate from a career center with a career or technical certificate and meet specified requirements in accordance with the terms of the agreement;

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

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

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Revised 11/14/23
Technical Correction 4/23/24

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F.S. 1007.233

F.S. 1007.27

F.S. 1007.271

F.S. 1007.273

F.S. 1008.44

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

F.A.C. 6A-20.007

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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

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

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

C. "Online educational service" means computer software, mobile applications (apps), and web-based tools that students or parents are required to use and access through the internet and as part of a school activity or function. Examples include online services that students or parents use to access class readings, assignments, or videos, to view learning progression, or to complete assignments. This does not include online services that students or parents may use in their personal capacity or to online services that districts or schools may use to which students or parents do not have access, such as a district student information system.

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

E. "Personally identifiable information" or "PII" means information that can be used to distinguish or trace a student's identity either directly or indirectly through linkages with other information, as defined in 34 CFR §99.3. PII includes, but is not limited to, direct identifiers (such as a student's or other family member's name), indirect identifiers (such as a student's date of birth, place of birth, or mother's maiden name), and other personal identifiers (such as a student's social security number or Florida Education Identifier (FLEID) number). PII also includes information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

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

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

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

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

Maintenance of Student Records

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

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

Information contained in student education records shall be classified as set forth in F.A.C. 6A-1.0955 and retained in accordance with the rule and this policy.

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

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

B. Category B Records, Information which is subject to periodic review and elimination when the information is no longer useful in the manner prescribed by F.S. 1001.52

1. Health information, family background data, standardized test scores, State-mandated achievement test scores, educational and career plans, honors and activities, work experience reports, and teacher comments.
2. Reports of student services or exceptional student staffing committees including all information required by F.S. 1001.42.
3. Correspondence from community agencies or private professionals.
4. Discipline records.
5. School Environmental Safety Incident Reports (SESIR) collected under F.S. 1006.07.
6. Threat assessments done by the threat assessment team pursuant to F.S. 1006.07, subject to the following:

   Threat management. All reports of concerning behavior, concerning communications, or threats documented using the Florida Harm Prevention and Threat Management Instrument prescribed by F.A.C. 6A-1.0019, are Category B records and shall be maintained in a student's file as long as determined useful by a threat management team, pursuant to F.S. 1006.07(7), and F.A.C. 6A-1.0019. These records include all corresponding documentation and any additional information required by the Florida Model for threat management related to the reporting, evaluation, intervention, and management of threat assessment evaluations and intervention services.

7. A list of schools attended.
8. Written agreements of corrections, deletions, or expunctions as a result of meetings or hearings to amend educational records.

9. Academic and behavioral intervention services.
10. Psychological evaluations.
11. Therapeutic treatment plans and therapy progress notes.
12. Such other records of educational importance as the school shall deem necessary.
13. Records designated for retention by the Florida Department of State in General Records Schedule GS7 for *Public Schools Pre-K - 12, Adult and Vocational/Technical*.

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

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

Periodic review for 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.

Requests to Deviate from Students Legal Name

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

Access to Student Records

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

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

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

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

In instances where records are opened to parents, guardians, or eligible students, schools shall make available a member of the professional staff to interpret the record and shall provide copies, upon request and payment of the current District copy rate, which shall not exceed the maximum rate for copies of public records as set forth in F.S. Chapter 119.

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

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

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

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

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

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

Court Request of Records

A. Student records may be disclosed to a court of competent jurisdiction provided that reasonable notification is given in advance to the parents and student. If the District's General Counsel 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.

B. 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.

A. Prior Written Consent

1. Prior written consent of the parent, guardian, or eligible student shall be obtained prior to disclosing personally identifiable student information other than directory information. The written consent shall include: signature of the parent, guardian, or eligible student; date; specification of records or information to be disclosed; purpose of the disclosure; and the party or class of parties to whom a disclosure is to be made.

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

B. Without Prior Written Consent

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

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

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

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

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

   This written agreement must include:

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

   b. specification of the information to be disclosed;

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

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

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

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

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

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

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

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

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

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

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

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

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

9. Appropriate parties in connection with an emergency, if knowledge of the information in the student's educational records is necessary to protect the health or safety of the student or other individuals.

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

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

notified of the order or subpoena in advance of compliance therewith by the educational institution or agency.

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

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

13. Parties to an interagency agreement among the Department of Juvenile Justice, school and law enforcement authorities, and other signatory agencies for the purpose of reducing juvenile crime and especially motor vehicle theft by promoting cooperation and collaboration, and the sharing of appropriate information in a joint effort to improve school safety, to reduce truancy and in-school and out-of-school suspensions, and to support alternatives to in-school and out-of-school suspensions and expulsions that provide structured and well supervised educational programs supplemented by a coordinated overlay of other appropriate services designed to correct behaviors that lead to truancy, suspensions, and expulsions, and that support students in successfully completing their education. Information provided in furtherance of such interagency agreements is intended solely for use in determining the appropriate programs and services for each juvenile or the juvenile's family, or for coordinating the delivery of such programs and services, and as such is inadmissible in any court proceedings prior to a dispositional hearing unless written consent is provided by a parent or other responsible adult on behalf of the juvenile.

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

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

16. Directory information as specified in this policy.

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

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

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

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

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

C. Record of Disclosures

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

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

and/or those specified in the law.

D. Disclosures - Health or Safety Emergencies

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

DIRECTORY INFORMATION

The District may 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

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

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

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

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

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

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

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

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

Additional Safeguards for Student Education Records

A. Any entity receiving personally identifiable information pursuant to a study, audit, evaluation, or enforcement/compliance activity must comply with all FERPA regulations. Further, such an entity must enter into a written contract with the Board delineating its responsibilities in safeguarding the disclosed information. Specifically, the entity must demonstrate the existence of a sound data security plan or data stewardship program, and must also provide assurances that the personally identifiable information will not be re-disclosed without prior authorization from the Board. Further, the entity conducting the study, audit, evaluation, or enforcement/compliance activity is required to destroy the disclosed information once it is no longer needed or when the timeframe for the activity has ended, as specified in its written agreement with the Board. See Form 8330 F14 and Form 8330 F16 for additional contract requirements.

B. Required use of online educational services by students and parents

In order to protect a student's PII from potential misuse and in order to protect students from data mining or targeting for marketing or other commercial purposes, the Board requires the review and approval of any online educational service that students or their parents are required to use as part of 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:

1. 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;

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

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

4. If student PII will be collected by the online educational service, parents and eligible students will be provided 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.

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

6. 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.

C. Contracts or agreements with third-party vendors

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

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

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

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

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

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

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

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

c. the disclosure is authorized by written consent of an eligible student or parent. Consent must include, at a minimum, an explanation of who the student PII would be disclosed to, how it would be used, and whether re-disclosure is permitted. Any re-disclosure must meet the requirements of F.A.C. 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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F.S. Chapter 119

F.S. 1001.41

F.S. 1001.52

F.S. 1002.22

F.S. 1002.221

F.S. 1002.222

F.S. 1003.25

F.A.C. 6A-1.0955

F.A.C. 6A-1.09550

20 U.S.C. 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

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 transportation services, inspections, and screening requirements shall be in accordance with Florida statute.

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

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

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

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

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

C. Elementary students in kindergarten through sixth grade who must walk through an area that meets the State criteria for hazardous walking conditions or area designated by the Board.

D. Elementary students residing within two (2) miles of their school may be provided bus transportation at the discretion of the Superintendent. 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.

Parents of students who become or are determined to be non-eligible for school bus transportation shall be notified.

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 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.

Duties and Responsibilities of the Director of Transportation

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

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

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

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

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

Duties and Responsibilities of the Principal

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

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

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

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

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

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

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

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

Duties and Responsibilities of the Bus Operator

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

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

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

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

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

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

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

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

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

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

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

L. Instruct transported students in safe riding practices.

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

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

O. Use the bus, if it is publicly owned, only to transport students to and from school, except upon specific direction of the Superintendent or the Principal upon written authorization by the Superintendent.

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

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

R. 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.

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

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

U. 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.

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

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

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

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

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

2. complaints requiring attention of school authorities;

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

4. causes for failure to maintain school bus time schedule; and

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

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

AA. Maintain as far as practicable by patient and considerate treatment of parents 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:

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

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

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

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

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

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

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

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

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).

A school bus equipped with a school bus infraction system must meet the specifications set forth in F.A.C. 6A-3.003.

No individual is permitted to receive a commission from any revenue collected from violations detected through the use of the District's system. In the event the District contracts with a vendor or manufacturer to install a school bus infraction detection system on any school bus or operate and maintain the system, such vendor or manufacturer is not permitted to receive a fee or renumeration based upon the number of violations detected through the use of a school bus infraction detection system.

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.

Revised 5/9/23

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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.A.C. Chapter 6A-3

Last Modified by Frankie St James on December 5, 2023

8600.04 - **BUS OPERATOR QUALIFICATIONS, CERTIFICATION, DISCIPLINE, AND TERMINATION**

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Purpose

The safety and welfare of District students is of paramount importance to the School Board and transportation personnel of the District are charged with the responsibility of student transportation safety. Thus, it is essential that school buses be operated by properly qualified and licensed drivers who meet all other requirements of State and Federal laws, State Board rules, and Board policies for the transport of students.

Applicants

The Board requires that each applicant for a bus operator's position possess a valid Florida Commercial Driver's License Class B with Passenger and School Bus Endorsements, together with an acceptable driving record, a current valid US DOT medical examiner's certificate, and such other licenses and endorsements as may be required by applicable law and regulation, and meet all other minimum qualifications as may be required by Federal law, State law, State Board Rule, Board policy, and the District's safe driver plan. The driving record of all applicants shall be obtained from the Florida Department of Highway Safety and Motor Vehicles (DHSMV) and reviewed by the District as and when required by law to verify an acceptable driving history and compliance with the standards of this policy and applicable law and regulation.

At the time of initial employment, the Board shall require that the operator of a school bus meet the following requirements:

A. has five (5) years of licensed driving experience;

B. has submitted to the Superintendent a written or electronic application for employment in a form prescribed by the Board; and

C. has filed a set of fingerprints for the purpose of the required background check for determining criminal record.

An applicant who is determined by the criminal background check required of all applicants to have been convicted of a crime of moral turpitude shall not be employed as a school bus operator.

Persons applying for the position of school bus operator will not be hired if, according to the District's *Safe Operator Plan*, they have more than five (5) points in the last year, more than ten (10) points in the last three (3) years, or been chargedonvicted of driving under the influence (DUI) in the last (7) years. All substitute operator applicants will have their records reviewed. If their records cannot pass these criteria, they will not be hired. If an employee is terminated as an operator due to a poor driving record, s/he will not be considered for re-

employment as an operator until s/he establishes at least one (1) twenty-fourtwelve (2412) month period of zero points in accordance with this plan.

Employees

Prior to transporting students on a school bus each operator shall meet the following requirements:

A. hold a valid commercial driver's license with a passenger endorsement and a school bus endorsements;

B. successfully complete forty (40) hours of preservice training which must include certified cardiopulmonary resuscitation (CPR) and first aid training, and must consist of at least twenty (20) hours of classroom instruction and eight (8) hours of behind-the-wheel training. The classroom instruction and behind-the-wheel training shall be based upon the Florida Department's of Education's Basic School Bus Operator Curriculum, Revised 202106;

C. demonstrate the ability to prepare required written reports;

D. be physically capable of operating the vehicle as determined by US DOT physical examination, given by a physician designated by the Board, and as determined by a dexterity test administered by the District;

E. demonstrate physical and mental capabilities required to carry out all assigned responsibilities as a school bus operator; and

F. meets the qualifications described in 49 C.F.R. Part 391, relating to physical qualifications and examination, which includes the physical standards established by the Federal Motor Carrier Safety Administration pursuant to 49 C.F.R. Sections 391.41 and 391.43

The District shall issue a certificate of training to each operator who successfully completes the forty (40) hours of preservice training provided by the DistrictCommissioner.

In addition to the requirements set forth above, a bus operator employed by the Board shall at all times during the term of their employment maintain an acceptable driving record, possess a current valid medical examiner's certificate, hold such other licenses and endorsements as may be required by applicable law and regulation, and meet all other minimum qualifications as may be required by Federal law, State law, State Board rule, Board policy, and the District's safe driver plan.

It is the intent of this Board to protect its students from drivers whose certification is invalidated under Florida law or the District's safe driver plan. Any employee who operates a school bus with a license s/he knows, or should have known, is

suspended or revoked shall be subject to discipline, up to and including termination.

The driving record of all school bus operators shall be obtained and reviewed prior to each fall semester, and shall be subject to continuous screening by using the Motor Vehicle Operator Tracking and Reporting System (MOTRS) through the Florida Department of Highway Safety and Motor Vehicles~~or Vehicles and Highway Safety~~ database.

Any bus operator whose driving record is found to include a plea of guilty, nolo contendere, or adjudication withheld of guilt for any of the following infractions shall be subject to disciplinary action up to and including termination in accordance with the District's *Safe Driver Plan*.

In addition, a bus operator who violates Board policies regarding the unnecessary idling of school buses or using a wireless communication device while operating a school bus shall be subject to disciplinary action in accordance with the District's safe driver plan.

All bus operators must conform to the provisions of 49 C.F.R., Part 40 and Part 382, relating to the substance abuse testing and alcohol detection program. A driver testing positive for a controlled substance under the provisions noted above shall be terminated from school bus driving duties.

~~All bus operators are required to sign a driver's license status statement for each pay period, attesting that bus operator has not received any point violation in the interim. Falsification may result in disciplinary action, up to and including termination.~~

All bus operators are required to submit to follow-up criminal background checks in accordance with State law.

At least annually, the Board shall require that each operator of a school bus meets the following requirements:

A. successfully complete the requirements prescribed by this policy;

B. successfully complete a minimum of eight (8) hours of in-service training related to the operator's responsibilities for transporting students; which may include training hours from the required certified CPR and first aid training, pursuant to F.A.C. Rule 6A-3.0121;

C. successfully pass a dexterity test administered by the District and maintain a valid Medical Examiners Certificate verifying that the operator meets the requirements of 49 C.F.R. Part 391.

At the time of reemployment, the Board shall assure that each school bus operator meets all of the requirements contained herein. If not more than a twelve (12)

continuous calendar month break in service has occurred, an operator shall be required to complete eight (8) hours of in-service training related to their responsibilities for transporting students prior to driving a school bus with students. If a period exceeding twelve (12) calendar months has occurred, the operator shall be required to successfully complete all of the requirements of this policy.

Revised 7/27/21
Revised 9/28/21

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F.S. 316.305
F.S. 316.306
F.S. 1012.45
F.S. 1012.465
F.S. Chapter 316
F.S. Chapter 1006
F.A.C. 6A-3.0121
F.A.C. 6A-3.0141
F.A.C. 6A-3.0171
49 C.F.R. Part 40
49 C.F.R. Part 382
49 C.F.R. Part 391

Last Modified by Juli Schlarb on March 6, 2023

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8651 - BOARD-OWNED OR LEASED VEHICLES

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It shall be the policy of the School Board that employee use of Board-owned or leased vehicles shall be limited to those employees whose duties require such use.

An employee may be assigned a vehicle if, in the judgment of the Superintendent, specific work circumstances require it.

The employee will use the assigned Board-owned or leased vehicle for official Board business only, and will return the Board-owned or leased vehicle to District property upon completion of his/her assigned duties daily.

Unauthorized use of Board-owned or leased vehicles will be cause for disciplinary action.

Employees who use a Board-owned or leased vehicle shall notify their supervisor as to any accident or mechanical defect experienced with the vehicle. The Transportation Director shall arrange for necessary repairs to be made.

Failure to report an accident or a mechanical defect experienced when operating a Board-owned or leased vehicle may be cause for disciplinary action.

The Superintendent shall require that all Board-owned or leased vehicles are inspected at regular intervals. The vehicles shall be placed in the District's garage(s) for repairs or service if needed.

The Board shall not assume any financial responsibility for any contract for repairs by or purchase of repairs from a private shop or a private individual unless prior approval is obtained from the Superintendent.

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~~**Last Modified by Juli Schlarb on March 6, 2**~~

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AGENDA ITEM NO. 4.f

School Board of Manatee County
July 30, 2024 - Special Meeting and Public Hearing
Action Item

Title
Authorize the Superintendent to Utilize the Flexibility Established Per Florida Statute 1001.42(21) to Establish Salary Incentives or Other Strategies that Address the Selection, Placement, Compensation, and Expectations of Instructional Personnel, Including Executing Memorandum(s) of Understanding, up to $600,000.00 (Multiple Funding Sources)

Executive Summary
On Wednesday, July 24, 2024, the Florida State Board of Education approved amendments to Rule 6A-1.09981, School and District Accountability, establishing new scales for school and district grades. The same day, the Florida Department of Education (FLDOE) released school and district grades for the 2023-2024 school year.

Florida Statue 1001.42(21) states, "To free schools with a school grade of “D” or “F” from contract restrictions that limit the school’s ability to implement programs and strategies needed to improve student performance, a district school board may adopt salary incentives or other strategies that address the selection, placement, compensation, and expectations of instructional personnel and provide principals with the autonomy described in s. 1012.28(8)."

In Manatee County, three (3) district-operated schools received a 'D' grade for 2023-2024:
- Samoset Elementary
- Lincoln Middle
- Bayshore High

The purpose of this item is to authorize the Superintendent to develop and implement the programs and strategies needed to ensure academic improvement at these schools for the 2024-2025 school year.

This item aligns with the District’s Strategic Plan Goal(s) which state(s):

Ready To Grow | Goal 1
Develop a competitive employee salary schedule to keep and attract the best talent and continue to provide quality customer service to our staff and parents

Recommendation
The Superintendent recommends authorization be given to the Superintendent to utilize the flexibility established per Florida Statute 1001.42(21) to establish salary incentives or other strategies that address the selection, placement, compensation, and expectations of instructional personnel, including executing Memorandum(s) of Understanding, up to $600,000.00 (Multiple Funding Sources).

Financial Impact
The funding sources to implement salary incentives or other strategies that address the selection, placement, compensation, and expectations of instructional personnel will be the General Fund and other state and federal grants.

Contact
Submitting Department: Superintendent
Initiated by: Superintendent Wysong