



AGENDA

REGULAR MEETING OF THE CAPE CORAL CHARTER SCHOOL GOVERNING BOARD

Tuesday, December 8, 2020

City Council Chambers

5:30 PM

1. CALL TO ORDER

A. Chairman Michael Campbell

2. MOMENT OF SILENCE:

A. Chairman Michael Campbell

3. PLEDGE OF ALLEGIANCE:

A. Chairman Michael Campbell

4. ROLL CALL:

A. Chairman Campbell, Vice-Chair Mitchell, Gunter Dist 1., Metzger, Minaya, Traiger, Treichler. Parent Representatives: Hoagland, Jackson

5. APPROVAL OF MINUTES:

A. Request for Approval of the Minutes of the Regular Governing Board Meeting on Tuesday, October 13, 2020.

6. APPROVAL OF AGENDA REGULAR MEETING:

A. Request for Approval of the Agenda of the Regular Governing Board Meeting on Tuesday, December 8, 2020

7. PUBLIC COMMENT:

A. Public Comment is limited to three(3) minutes per individual; 45 minutes total comment time.

8. CONSENT AGENDA:

A. Request for Approval of Adoption/Updates to the City of Cape Coral Charter School Authority NEOLA Policies 5112, 5500, 7540.03, 7540.03S, 8330, 8405, 8407, 8420, 8450 - Superintendent Collins

- B. Request for Approval of the Oasis Charter Schools Instructional Calendar School Year 2021-2022 - Superintendent Collins
- C. Request for Approval of the Purchase Waiver for the Oasis High School Scoreboard - Danielle Jensen, Director of Procurement

9. SUPERINTENDENT REPORT:

- A. Recommendations - Florida Safe Schools Assessment Tool (FSSAT)
- B. Summary - Oasis Charter Schools Strategic Planning Workshops

10. CHAIRMAN REPORT:

- A. Chairman Michael Campbell

11. FOUNDATION REPORT:

- A. Gary Cerny, Foundation President or Jennifer Hoagland, Treasurer

12. STAFF COMMENT:

- A. Oasis Charter Schools Food Services Holiday Donations - Danielle Jensen, Director Food Services
- B. School Report - Dr. Christina Britton, Principal, Oasis High School

13. UNFINISHED BUSINESS:

- A. Request for Approval of the Oasis Charter Schools' "Spring 2021 - Educational Plan & Assurances " - Superintendent Collins Please go online to view the plans at: <https://www.capecharterschools.org> Click the HOME banner
- B. Request for Approval to use the Discretionary Capital Appropriations that are within the Restricted Fund Balance to support Recommendations and Services regarding the replacement of the Oasis Elementary North Portables - Superintendent Collins

14. NEW BUSINESS:

15. FINAL BOARD COMMENT AND DISCUSSION:

16. TIME AND DATE OF NEXT MEETING

- A. The Next Regular Governing Board Meeting will be held on Tuesday, January 12, 2021 at 5:30p.m. in Cape Coral City Council Chambers, 1015 Cultural Park Blvd., Cape Coral, FL 33990

17. ADJOURNMENT:

Members of the audience who address the Board/Commission/Committee shall step up to the speaker's lectern and give his/her full name, address and whom he/she represents. Proper decorum shall be maintained at all time. Any audience member who is boisterous or disruptive in any manner to the conduct of this meeting shall be asked to leave or be escorted from the meeting room.

In accordance with the Americans with Disabilities Act and SS 286.26, Florida Statutes, persons needing a special accommodation to participate in this proceeding should contact the Human Resources Department whose Office is located at Cape Coral City Hall, telephone 1-239-574-0530 for assistance; if hearing impaired, telephone the Florida Relay Service Numbers, 1-800-955-8771 (TDD) or 1-800-955-8700 (v) for assistance. In accordance with Florida

Statute 286.0105: any person who desires to appeal any decision at this meeting will need a record of the proceedings and for this purpose may need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is based.

Item Number:	1.A.
Meeting Date:	12/8/2020
Item Type:	CALL TO ORDER

AGENDA REQUEST FORM
City Of Cape Coral Charter School Authority

TITLE:

Chairman Michael Campbell

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

Item Number: 2.A.

Meeting Date: 12/8/2020

Item Type: MOMENT OF SILENCE:

AGENDA REQUEST FORM

City Of Cape Coral Charter School Authority

TITLE:

Chairman Michael Campbell

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

Item Number: 3.A.

Meeting
Date: 12/8/2020

Item Type: PLEDGE OF
ALLEGIANCE:

AGENDA REQUEST FORM
City Of Cape Coral Charter School
Authority

TITLE:

Chairman Michael Campbell

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

Item Number:	4.A.
Meeting Date:	12/8/2020
Item Type:	ROLL CALL:

AGENDA REQUEST FORM
City Of Cape Coral Charter School Authority

TITLE:

Chairman Campbell, Vice-Chair Mitchell, Gunter Dist 1., Metzger, Minaya, Traiger, Treichler. Parent Representatives: Hoagland, Jackson

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

Item Number: 5.A.

Meeting
Date: 12/8/2020

Item Type: APPROVAL OF MINUTES:

AGENDA REQUEST FORM
City Of Cape Coral Charter School
Authority

TITLE:

Request for Approval of the Minutes of the Regular Governing Board Meeting on Tuesday, October 13, 2020.

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

ATTACHMENTS:

Description	Type
GB MINUTES OCT 13 WITH EXT A	Backup Material



GOVERNING BOARD MINUTES

City of Cape Coral Charter School Authority Governing Board Regular Meeting City Council Chambers Tuesday, October 13, 2020, at 5:30p.m.

1. Call to Order

A meeting of the City of Cape Coral Charter School Authority Governing Board of Lee County, Florida, met on Tuesday, October 13, 2020 at City Council Chambers, Cape Coral FL 33990. Chairman Michael Campbell called the meeting to order at 5:33p.m.

2. Moment of Silence

Chairman Michael Campbell

3. Pledge of Allegiance to the Flag of the United States of America

Vice-Chair Mitchell

4. Board Member Roll Call

4A. Present *en chamber*: Michael Campbell, John Gunter, Dist. 1, Dr Guido Minaya, Tami Traiger. Parent Representatives: Jackson
Virtual Attendance: Metzger, Mitchell
Absent Excused: Treichler, Hoagland

4B. Motion made by Member Traiger, Second by Member Campbell to approve Charter School Authority Governing Board Members who wish to virtually attend this meeting be allowed to continue to participate, discuss and vote on items appearing on today's agenda dated October 13, 2020. *Unanimous*

Also Present:

Jacquelin Collins, Superintendent
MaryAnne Moniz, Business Manager
Dr Christina Britton, Principal, Oasis High
Donnie Hopper, Principal, Oasis Middle
Brianne Romano, Assistant Principal, Oasis Middle
Kevin Brown, Principal, Oasis Elementary North
MaryBeth Grecsek, Interim Principal, Oasis Elementary South
Danielle Jensen, Director of Procurement and Food Services
Leisa Orcutt, Director Human Resources
Jamie Cooper, Transportation Supervisor of Business Operations (V)
Oasis Charter Schools Teachers and Staff
Cape Coral Residents (1)
Dolores Menendez, City Attorney
Mark Moriarty, Assistant City Attorney, City of Cape Coral
CCPD Officer DiGiovanni
CCPD Officer Zalenski

5. Approval of Previous Minutes

Motion made by Member Gunter, Second by Member Metzger to approve the Minutes of the Regular Governing Board meeting on September 8, 2020. *Unanimous*

6. Approval of Regular Meeting Agenda

Motion made by Member Minaya, Second by Metzger to approve the Agenda for the Regular Governing Board Meeting on Tuesday, October 13, 2020. *Unanimous*

7. Public Comment

1. Chamber comments:

Sarona Weyant, Oasis Middle PTO: The Middle School is still searching for a parent representative to attend Governing Board meetings. If they can not find a parent to volunteer for the seat, is it possible for the high school parent representative to also represent the middle school?

1. E-comments:

Gabrielle Thompson - "Requesting the school board and school administrators look into alternative cleaning sprays and wipes." Please see Exhibit "A."

8. Consent Agenda

Motion made by Member Traiger, Second by Member Mitchell to approve the following item(s) *by Consent. Unanimous; Motion Passed*

APPROVED A. Request for Approval for Teachers Out of Field 2020-21- Superintendent Collins

9. Superintendent Report

- The Instructional Model Parent Survey deadline is October 16th at 5:00p.m. Many families have chosen to return to face-to-face instruction and teachers are preparing their classrooms for social distancing and health & safety protocols.
- The OCS Strategic Planning Workshop #1 is set for November 5th at the Yacht Club. If necessary, a second workshop will be conducted on November 19th. OCS principals and City department heads will attend along with teachers and community stakeholders. Workshop attendees will focus on creating a 3-year Strategic Plan with measurable goals and strategies to reach them.
- The once restricted HB 7069 PECO funds have been released. (See the Memorandum from the City Attorney's Office). During the December (8th) meeting we will discuss how the charter schools intend to use the funds.
- OEN Portables need repair and/or replacement. Danielle Jensen is meeting with a consulting team including City personnel to get quotes, leasing information, etc. She will bring updated information to the Board by the next meeting in December.

- TAC Meetings have been going well; the committee had pay schedules, accrued time and budgeting questions that required clarification. Administrative staff and City HR have been invited to attend the next TAC meeting to explain processes and timelines.
- The COVID-19 Dashboard is still active. We are weeks away from the Thanksgiving break and will continue to monitor our system's health & safety

10. Chairman Report

Chairman Campbell said he was glad to be back in Council Chambers and interacting with board members again. Campbell expressed he is proud of our charter schools rising to the unprecedented challenges of COVID-19 and thanked all the teachers, staff, and administration for continuing to do such a great job even though the start of the school year was tough.

11. Foundation Report

No Activity

12. Staff Comment

Donnie Hopper, Principal, Oasis Middle School discussed the importance and teacher challenges of connecting with students both face-to-face and virtual during COVID.

13. Unfinished Business

No Activity

14. New Business

14A. APPROVED. Motion made by Member Gunter, Second by Member Traiger to Approve the Purchase of Security Cameras for Twelve (12) Oasis Charter Schools Buses - Danielle Jensen, Director of Procurement and Food Services *Unanimous*

15. Final Board Comment and Discussion

Campbell Thank you to all the teachers and staff, and congratulations to all the teachers for successfully doing their jobs during these extremely difficult times, including teaching virtually. As a parent of our system he is extremely proud of the great job teachers are doing.

Mitchell Welcomed back Chairman Campbell. She's also impressed with the great job teachers and staff are doing during COVID.

Gunter Thanked teachers and administration for all their hard work with students and families during COVID. He's going to be part of the OEN Portables update and is also looking forward to attending the Strategic Planning Workshops.

Metzger She's very impressed with the teachers and staff and the great job they are doing during COVID especially keeping students socially distanced and following health & safety protocols. Despite the new limits on social interaction the kids seem to be doing well and they are happy which is so important to their mental health. Great job Oasis!

Minaya Congratulated teachers and staff on the great job they are doing with students during COVID, especially. He's also excited to attend the Strategic Planning Workshops.

Traiger She's very excited that the HB 7069 lawsuit was finally settled and that the charter schools can finally access the funds. During the next meeting she would like an update from the Superintendent regarding how the PECO money will be used and what capital improvements will be impacted. Congratulations to the teachers and admin staff for doing such a great job during COVID and keeping students learning and teachers teaching.

Treichler Absent Excused

Parent Representative Hoagland Absent Excused

Parent Representative Jackson Congratulated teachers and staff who are going above and beyond to help students have a good learning year despite COVID limitations. He's also planning to attend the Strategic Planning Workshops.

16. Time and Date of Next Regular Meeting

The next Regular Governing Board Meeting will be held on Tuesday, January 12, 2021 at 5:30 p.m. in City Council Chambers.

17. Adjournment

The Governing Board adjourned at 6:29p.m.

Respectfully Submitted,

Kathleen Paul-Evans

Charter School Authority Board Secretary

Secretary

Date of approval

Exhibit "A"
1/4

Kimberly Bruns

From: noreply@revize.com
Sent: Monday, October 12, 2020 9:26 PM
To: Cape Coral Public Comment
Subject: [EXTERNAL] - ecomment
Attachments: School Board Comments - Google Docs.pdf; Spray Active Ingredients.pdf; Wipes Active Ingredients.pdf

Caution – This email originated from outside of our organization. Please do not open any attachments or click on any links from unknown sources or unexpected email.

meeting Type = Charter School Governing Board
Name = Gabrielle Thompson
Email = gabrielle.thompsonk12@gmail.com
Date = 2020-10-13
Item = New Business
Comments = Comments are attached in the file below.
Client IP = 69.247.36.167

I would like to request that the school board and school administrators look into alternative cleaning sprays and wipes. Attached are pdfs of the active ingredients in the spray and wipes. Since the beginning of the year, teachers have been told by administrators that the cleaning sprays and wipes used in the classrooms and school buildings are all-natural. However, upon reviewing the active ingredients that is not the whole truth. The spray that is used at least once a week in every classroom contains thymol, sodium lauryl sulfate, sodium laureth sulfate, methoxyisopropanol, sodium citrate, water, and terpineol. While thymol is naturally occurring, it is known to cause infertility. Sodium lauryl sulfate has been shown to cause skin and eye irritations, dermatitis, eczema, psoriasis, skin rashes, hormonal disruptions, dizziness, and headaches. Sodium laureth sulfate may be contaminated with ethylene oxide which is linked to cancer. That's just the spray that is being used once a week in classrooms that all share the same air circulation and do not have windows that open for fresh air. Furthermore, the wipes being used to clean desks and chairs after every class period contains such ingredients as alkyl dimethyl ethylbenzyl ammonium chloride and alkyl dimethyl benzyl ammonium chloride, both of which can cause contact dermatitis, asthma, or respiratory symptoms such as runny nose, sore throat, or cough. It also contains ethoxylate which is a possible human carcinogen. Both students and teachers are being subjected to these chemicals that can cause infertility, skin rashes and irritations, respiratory issues, and possible cancer. Sure, our Covid-19 cases have been relatively low, but at what cost to our teachers and students long term health? There are teachers who have reported skin irritants and other similar symptoms that are possible side effects of these chemicals. At the high school, we were told that administrators believed that the cleaning crew were over-spraying because they were mad. And personally, I have started to notice that my palms burn after passing out the wipes to students despite the fact that I go wash my hands afterwards.

Exhibit "A"
3/4

SOLUTIONS

INGREDIENT DISCLOSURE

BIOESQUE BOTANICAL DISINFECTANT EPA, REG NO. 87742-1-92595

CAS No.	Name	Function
89-83-8	Thymol	Active Ingredient
68585-47-7	Sodium Lauryl Sulfate	Surfactant
68585-34-2	Sodium Laureth Sulfate	Surfactant
107-98-2	Methoxyisopropanol	Diluent
6132-04-3	Sodium Citrate	Sequestrant
7732-18-5	Water	Diluent
98-55-5	Terpineol	Fragrance Ingredient

[Links to designated lists](#)

Exhibit "A"
4/4

PRODUCT SAFETY DATA SHEET

1. IDENTIFICATION OF SUBSTANCE/PREPARATION/COMPANY

Product Name: Everwipe Surface Care Wipes 900 ct (11100)

Recommended Use: Surface cleaning and cleaning non-porous surfaces

Manufactured by Legacy

3 Security Dr. Ste 301, Cranbury NJ 08512

Telephone Number: 800-521-4190

For additional information,

Contact Legacy at www.legacybrands.com

2. HAZARD IDENTIFICATION

Health Hazards: May cause mild eye irritation

Environmental Hazards: None currently known

EU Classification: Unknown

US OSHA Classification: Not hazardous

Canadian WHMIS Classification: Not a controlled substance

3. COMPOSITION / INFORMATION ON INGREDIENTS

Ingredient Name	CAS Number
Purified Water	7732-18-5
Tetra sodium ethylenediamine tetra acetic acid	64-02-8
Alkyl dimethyl ethylbenzyl ammonium chloride	85409-23-0
Alkyl dimethyl benzyl ammonium chloride	68391-01-5
Alcohols (C12-15 Ln. Saturated) Ethoxylate	68131-39-5
DMDM Hydantoin	77-71-4
Iodo-2-propynyl butyl carbamate	55406-53-6

Issued by

OLE

Item Number:	6.A.
Meeting Date:	12/8/2020
Item Type:	APPROVAL OF AGENDA REGULAR MEETING:

AGENDA REQUEST FORM
City Of Cape Coral Charter School
Authority

TITLE:

Request for Approval of the Agenda of the Regular Governing Board Meeting on Tuesday, December 8, 2020

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

Item Number: 7.A. Meeting Date: 12/8/2020 Item Type: PUBLIC COMMENT:

AGENDA REQUEST FORM
City Of Cape Coral Charter School Authority

TITLE:

Public Comment is limited to three(3) minutes per individual; 45 minutes total comment time.

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

Item Number: 8.A.
Meeting Date: 12/8/2020
Item Type: CONSENT AGENDA:

AGENDA REQUEST FORM
City Of Cape Coral Charter School Authority

TITLE:

Request for Approval of Adoption/Updates to the City of Cape Coral Charter School Authority
NEOLA Policies 5112, 5500, 7540.03, 7540.03S, 8330, 8405, 8407, 8420, 8450 -
Superintendent Collins

SUMMARY:

The City of Cape Coral Charter School Authority intends to adopt and/or update the policies listed below:

POLICY 5112: Revised Policy- Special School Safety- Entrance Requirements

POLICY 5500: Revised Policy- Special School Safety- Student Conduct

POLICY 7540.03: Replacement Policy – Special Update-Info & Tech Coll. Phase III – Student Technology Acceptable Use and Safety

POLICY 7540.03S: Student Technology Acceptable Use and Safety – Supplement

POLICY 8330: Revised Policy -Special School Safety-Student Records

POLICY 8405: Revised Policy-Special School Safety – School Safety and Security

POLICY 8407: Revised Policy-Special School Safety-Safe School Officers

POLICY 8420: Revised Policy -Special School Safety-Emergency Management, Emergency Preparedness, and Emergency Response Agencies

POLICY 8450:Reissued Policy – Special Update-Coronavirus Disease (COVID-19) – March 2020-Control of Casual Contact Communicable Diseases

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

ATTACHMENTS:

Description	Type
▣ NEOLA UPDATES	Backup Material
▣ NEOLA UPDATES	Backup Material

Book	Policy Manual
Section	Special - School Safety - May 2019
Title	REVISED POLICY - SPECIAL - SCHOOL SAFETY - ENTRANCE REQUIREMENTS
Code	po5112 jc 11/17/20
Status	
Adopted	April 12, 2016
Last Revised	October 8, 2019

REVISED POLICY - SPECIAL - SCHOOL SAFETY

5112 - ENTRANCE REQUIREMENTS

The School Board hereby establishes entrance age requirements for students which are consistent with statute and sound educational practice and requires the equitable treatment of all eligible children.

Pursuant to State law, all children who have attained the age of six (6) years or who will have attained the age of six (6) years by February 1st of any school year or who are older than six (6) years of age but who have not attained the age of sixteen (16) years, except as otherwise provided in Florida statute, are required to attend school regularly during the entire school term. Further, all children enrolling in a District school shall meet the immunization requirements set forth in F.S. 1003.22, as well as provide evidence of a physical exam as required by State law.

The superintendent may require evidence of the age of any child who seeks to enroll in the District or who the superintendent believes to be within the limits of compulsory attendance as provided by law; however, the superintendent will not require evidence from any child who meets regular attendance requirements by attending any of the following schools or programs:

- A. a parochial, religious, or denominational school;
- B. a private school supported in whole or in part by tuition charges or by endowments or gifts;
- C. a home education program that meets the requirements of F.S. Chapter 1002; or
- D. a private tutoring program that meets the requirements of F.S. Chapter 1002.

In addition, consistent with rules adopted by the State Board of Education, children with disabilities who have attained the age of three (3) years shall be eligible for admission to the District's special education programs and for related services. Children with disabilities younger than three (3) years of age who are deaf or hard of hearing, visually impaired, dual sensory impaired, orthopedically impaired, other health impaired, who have experienced traumatic brain injury, who have autism spectrum disorder, established conditions, or who exhibit developmental delays or intellectual disabilities may be eligible for special programs and may receive services in accordance with rules of the State Board of Education. The identification of established conditions for children birth through two (2) years of age and developmental delays for children birth through five (5) years of age shall be in accordance rules adopted by the State Board of Education.

Further, as required by F.S. 1003.22 and Policy 5320, Immunizations all children enrolling in a District school shall meet the immunization requirements set forth in State law, as well as provide evidence of a physical exam as required by State law.

Kindergarten

Children entering kindergarten in this District for the first time must comply with F.S. 1003.21 regarding entry age. A child must be five (5) years old on or before September 1st, in order to meet the Florida age requirement for kindergarten. A child under age six (6) who is enrolled in kindergarten will be considered of compulsory school age.

First Grade

Children entering first grade in this District for the first time must comply with F.S. 1003.21. Any child who has attained the age of six (6) years on or before September 1st of the school year and who has been enrolled in a public school or who has attained

the age of six (6) years on or before September 1st and has satisfactorily completed the requirements for kindergarten in a non-public school, or who otherwise meets the criteria for admission or transfer in a manner similar to that applicable to other grades, shall progress according to the District's student progression plan.

Students transferring to first grade from a kindergarten program other than the one offered by the District will need written verification of satisfactory completion of kindergarten from the public or non-public school attended. Home education is not an option. Verification forms are available at each elementary school.

Initial Entry

- A. Children entering the District for the first time must comply with F.S. 1003.21 and with the District's *Student Progression Plan*. Students must have an immunization record on file at the school. Any student who does not have the proper immunization shall be temporarily excluded from attendance until compliance has been documented.
- B. Each child who is entitled to admittance to kindergarten or is entitled to any other initial entrance into a public school in the District must have a certification of a school-entry health examination performed within one (1) year before enrollment in school. Students transferring into the District from a school within the State of Florida who have completed physical examination form as part of their school record need not be re-examined. Examinations taken out-of-state may be accepted if performed within one (1) year of entry and include documentation and reported on the official forms of the physician. A student shall have up to thirty (30) school days to present a certification of a school-entry health examination. Children and youths who are experiencing homelessness and children who are known to the Department, as defined in F.S. 39.0016, shall be given a temporary exemption for thirty (30) school days. The school health services plan shall contain provisions to assist students in obtaining the health examinations.
- C. A child may be exempt from the required health examination and/or immunization upon written request of the parent or guardian of such child stating objection to examination and/or immunization on religious grounds or for medical reasons certified by a competent medical authority.
- D. Any student and/or his/her parent(s) who enters the District for the first time must disclose the following information at the time of enrollment:
 - 1. prior school expulsions;
 - 2. arrests resulting in a charge;
 - 3. juvenile justice actions; and
 - 4. any corresponding referrals to mental health services by the school district that the student previously attended.

Any student who discloses any of the above-referenced matters is subject to the provisions of the Code of Student Conduct, Policy 5500, and Policy 5610 relating to disciplinary placement and/or assignment of students.

Verification of Residence

Verification of a parent or guardian's residence shall be required at the time the child registers in a District school. Verification of residence may also be required at any other time at the discretion of the Superintendent or designee.

Notification of in Loco Parentis

In cases in which a student is temporarily not residing with his/her parents or legal guardian for a short period of time, the parent or legal guardian of the student shall designate in writing that adult person with whom the student resides who stands in loco parentis to the student in order for him/her to be admitted or continue in school. This statement shall be notarized and presented to the principal.

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Legal

F.S. 1003.01
F.S. 1003.21
F.S. 1003.22
F.S. 1006.07
F.S. 1012.584
F.A.C. 6A-1.0985

Cross References

ap5112A - ADMISSION TO KINDERGARTEN
ap5112B - YOUNG KINDERGARTEN PROGRAMS
ap5112C - APPEAL FOR EARLY ENTRANCE TO KINDERGARTEN OR FIRST GRADE

Last Modified by Jacquelin Collins on November 17, 2020

Book	Policy Manual
Section	Special - School Safety - May 2019
Title	REVISED POLICY - SPECIAL - SCHOOL SAFETY - STUDENT CONDUCT
Code	po5500 jc 11/17/20
Status	
Adopted	April 12, 2016
Last Revised	May 14, 2019

REVISED POLICY - SPECIAL - SCHOOL SAFETY

5500 - STUDENT CONDUCT

Respect for law and for those persons in authority shall be expected of all students. This includes conformity to school rules as well as general provisions of law affecting students. Respect for the rights of others, consideration of their privileges, and cooperative citizenship shall also be expected of all members of the school community.

Respect for real and personal property; pride in one's work; achievement within the range of one's ability; and exemplary personal standards of courtesy, decency, and honesty shall be maintained in the schools of this District.

The School Board has zero tolerance for conduct that poses a ~~serious~~ threat to school safety. Zero tolerance policies must apply equally to all students and are not intended to be rigorously applied to petty acts of misconduct ~~and misdemeanors. This zero tolerance policy does not require the reporting of petty acts of misconduct and misdemeanors to a law enforcement agency. Petty acts of misconduct, include, but are not limited to, disorderly conduct, disrupting a school function, simple assault or battery, verbal abuse or use of profanity, cheating, theft of less than \$300, trespassing, and vandalism of less than \$1,000, possession or use of tobacco, and other school based offenses delineated in the Student Code of Conduct.~~

Florida law requires that students found to have committed one of the following offenses:

- A. bringing a firearm or weapon, as defined in F.S. Chapter 790, to school, to any school function, or onto any school-sponsored transportation, or possessing a firearm at school; or
- B. making a threat or false report, as defined by F.S. 790.162 and 790.163, involving school or school personnel's property, school transportation, or a school-sponsored activity;

shall be expelled, with or without continuing educational services, from the student's regular school for a period of not less than one (1) full year and shall be referred to mental health services identified by the District and to the criminal justice or juvenile justice system.

The Superintendent may consider the one (1) year expulsion requirement on a case-by-case basis and request that the Board modify the requirement by assigning a student to a disciplinary program or second chance school. The Superintendent's request for modification must be in writing and may only be presented to the Board for consideration if the student and/or the student's parent(s) agree in writing to accept the Superintendent's recommendation. The Board may approve the request if it is determined to be in the best interest of the student and the school system. If a student committing either of the offenses enumerated above is a student who has a disability, the Board shall comply with applicable State Board of Education rules for the discipline of such students.

The District shall enter into agreements with local law enforcement specifying procedures so that acts that pose a ~~serious~~ threat to school safety, whether committed by a student or adult, are reported to a law enforcement agency having jurisdiction.

Those acts that pose a ~~serious~~ threat to school safety include, but are not limited to,;

- A. possession of firearms or other weapons
- B. placing, discharging, or throwing an explosive item or noxious substance or making threats to do so

- C. arson
- D. felony assault
- E. threats of unsafe and potentially harmful, dangerous, violent, or criminal activities
- F. ☐ violations of the following rules in the ~~Board-adopted Student Code of Conduct:~~

Petty acts of misconduct that are not a threat to school safety do not require consultation with law enforcement.

The following are typically considered petty acts of misconduct, although each act must be examined on a case-by-case basis to determine whether or not the act constitutes a threat to school safety requiring consultation with law enforcement:

- A. disorderly conduct
- B. disrupting a school function
- C. simple assault or battery
- D. verbal abuse or use of profanity
- E. cheating
- F. theft of less than \$300, trespassing, and vandalism of less than \$1,000
- G. possession or use of tobacco
- H. ☐ _____
- I. ☐ _____
- J. ☐ _____

Notwithstanding any other provision of Board policy, pursuant to F.S. 1006.13(5), any student found to have committed an act of assault or aggravated assault, or battery or aggravated battery, on any elected official of the School District, teacher, administrator, or other School District personnel, shall be recommended for expulsion or placement in an alternative school setting, as appropriate.

☒ The minimum period of this expulsion or placement in an alternative school setting shall be one (1) year and the student shall be referred to the criminal justice or juvenile justice system.

Further, upon being charged with such offense, the student shall be removed from the classroom immediately and placed in an alternative school setting pending disposition.

The ☒ **Code of Student Conduct** ☐ **Student Discipline Code** that is adopted annually shall provide for review of a decision to suspend or expel a student pursuant to this policy and the Code, consistent with F.S. 1006.07.

Furthermore, if the Board receives notice from the Department of Juvenile Justice, as required by law, that a student enrolled in the District has been adjudicated guilty of or delinquent for, or is found to have committed, regardless of whether adjudication is withheld, or pleads guilty or *nolo contendere* to, a felony violation as set forth in F.S. 1006.13(6)(a), the Board shall, pursuant to State law and the adopted cooperative agreement with the Department of Juvenile Justice, require that any no contact order entered by a court be enforced and that all of the necessary steps be taken to protect the victim of the offense or a sibling of the victim.

Students may be subject to discipline for violation of the Code of Conduct/Student Discipline Code even if that conduct occurs on property not owned or controlled by the Board but that is connected to activities or incidents that have occurred on property owned or controlled by the Board, or conduct that, regardless of where it occurs, is directed at a Board official or employee, or the property of such official or employee.

The principal shall ~~notify ensure that~~ all school personnel ~~are properly informed as to~~ their responsibilities regarding ~~incidents/suspicious activity~~ reporting, that ~~appropriate delinquent acts~~ which pose a threat to school safety and crimes are

properly reported to the principal, and that the disposition of the incident is ~~actions taken in cases with special circumstances are properly taken and~~ documented.

[NOTE: Select one (1) of the following three (3) options.]

[OPTION #1]

Student conduct shall be governed by the rules and provisions set forth in the Lee County Code of Student Conduct (title of document) which is reviewed and adopted

☒ annually

☐ periodically

☐ whenever revisions are proposed

in accordance with F.S. Chapter 120 ☒ and is incorporated in the policy by reference.

~~[END OF OPTION #1]~~

[OPTION #2]

The _____ (title of document) was adopted by the Board consistent with the bylaws concerning rulemaking and F.S. Chapter 120 on _____ (date).

~~[END OF OPTION #2]~~

~~[OPTION #3]~~

~~{Insert the Code of Student Conduct/Student Discipline Code here.}~~

~~[END OF OPTION #3]~~

The Code of Student Conduct shall contain provisions for the assignment of violent or disruptive students to an alternative educational program and/or referral of such students to mental health services identified by the District.

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Legal F.S. 1006.07
 F.S. 1006.13
 F.S. 1012.584

Cross References ap5500A - STUDENT CONDUCT IN SCHOOL

Last Modified by Jacquelin Collins on November 17, 2020

Book	Policy Manual
Section	Tech III
Title	REPLACEMENT POLICY - SPECIAL UPDATE - INFO & TECH COLL. - PHASE III - STUDENT TECHNOLOGY ACCEPTABLE USE AND SAFETY
Code	po7540.03 jc 11/20
Status	
Adopted	April 12, 2016

REPLACEMENT POLICY - SPECIAL UPDATE - INFO & TECH COLL. - PHASE III

7540.03 - STUDENT 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~~ Governing Board provides technology resources (as defined in Bylaw 0100) to support the educational and professional needs of its students and staff. With respect to students, District technology resources afford them the opportunity to acquire the skills and knowledge to learn effectively and live productively in a digital world. The Board provides students with access to the Internet for limited educational purposes only and utilizes online educational services/apps to enhance the instruction delivered to its students. The CCCCSA 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 CCCCSA technology resources by principles consistent with applicable local, State, and Federal laws, the District's educational mission and articulated expectations of student conduct as delineated in the Code of Student Conduct. This policy and its related administrative procedures and the Code of Student Conduct govern students' use of District technology resources and students' personal communication devices when they are connected to the District computer network, Internet connection, and/or online educational services/apps or when used while the student is on Board-owned property or at a Board-sponsored activity (see Policy 5136).

Users 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 resources (including, but not limited to, privacy in the content of their personal files, e-mails, and records of their online activity when using the District's computer network and/or Internet connection).

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

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 the Superintendent, the technology protection measures may 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 students to restrict access to child pornography and other material that is obscene, objectionable, inappropriate, and/or harmful to minors. The technology protection measures may not be disabled at any time that students may be using District technology resources, if such disabling

will cease to protect against access to materials that are prohibited under the CIPA. Any student who attempts to disable the technology protection measures will be subject to discipline.

The Superintendent or _____ designee _____ 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.

Parents are advised that a determined user may be able to gain access to services and/or resources on the Internet that the Board has not authorized for educational purposes. In fact, it is impossible to guarantee students will not gain access through the Internet to information and communications that they and/or their parents may find inappropriate, offensive, objectionable, or controversial. Parents of minors are responsible for setting and conveying the standards that their children should follow when using the Internet.

Pursuant to Federal law, students shall receive education about the following:

- A. safety and security while using e-mail, chat rooms, social media, and other forms of direct electronic communications;
- B. the dangers inherent with the online disclosure of personally identifiable information;
- C. the consequences of unauthorized access (e.g., "hacking", "harvesting", "digital piracy", "data mining", etc.), cyberbullying, and other unlawful or inappropriate activities by students online; and,
- D. unauthorized disclosure, use, and dissemination of personally identifiable information regarding minors.

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

[x] 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.

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

[x] Students will be assigned a school e-mail account that they are required to utilize for all school-related electronic communications, including those to staff members, peers, and individuals and/or organizations outside the District, with whom they are communicating for school-related projects and assignments. **(x)** Further, as directed and authorized by their teachers, they shall use their school-assigned e-mail account when signing-up/registering for access to various online educational services, including mobile applications/apps that will be utilized by the student for educational purposes.

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

[NOTE: If language about social media is added to Policy 7540, it is recommended that this language be added to this policy.]

[x] Students may only use District technology resources to access or use social media if it is done for educational purposes in accordance with their teacher's approved plan for such use.

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

The Board designates the Superintendent and _____ Principals _____ as the administrators responsible for initiating, implementing, and enforcing this policy and its accompanying procedures as they apply to students' use of District technology resources.

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F.S. 1001.43

F.S. 1001.51

P.L. 106-554, Children's Internet Protection Act of 2000

47 U.S.C. 254(h),(1), Communications Act of 1934, as amended

20 U.S.C. 6301 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended

20 U.S.C. 6777 (2003)

20 U.S.C. 9134 (2003)

18 U.S.C. 2256

18 U.S.C. 1460

18 U.S.C. 2246

47 C.F.R. 54.500

47 C.F.R. 54.501

47 C.F.R. 54.502

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47 C.F.R. 54.518

47 C.F.R. 54.519

47 C.F.R. 54.520

47 C.F.R. 54.522

47 C.F.R. 54.523

Cross References

ap7540.03 - STUDENT NETWORK AND INTERNET ACCEPTABLE USE AND SAFETY

Last Modified by Jacquelin Collins on November 20, 2020

Book	Policy Manual
Section	Tech III
Title	STUDENT TECHNOLOGY ACCEPTABLE USE AND SAFETY - SUPPLEMENT
Code	po7540.03S jc11/20
Status	

Information & Technology Collection - supplement

POLICY 7540.03 – STUDENT TECHNOLOGY ACCEPTABLE USE AND SAFETY

The substantive changes in this policy include the following:

1. References to the definitions of technology resources and information resources in Bylaw 0100 are added in the first paragraph.
2. Clarify that the Board intends to regulate the use of District CCCCSA technology resources in accordance with applicable local, State and Federal laws, the District's CCCCSA's educational mission, and the terms of the Student Code of Conduct.
3. State that wireless communication devices (WCDs) when connected to the District's CCCCSA's technology resources are also subject to the terms of this policy.
4. Remind users that they must refrain from engaging in illegal or unkind actions, and provide examples of what is meant by illegal and unkind actions.
5. Added language clarifying when students may use District CCCCSA technology resources to access and use social media for educational purposes.

Last Modified by Jacquelin Collins on November 20, 2020

Book	Policy Manual
Section	Tech III
Title	REPLACEMENT POLICY - SPECIAL UPDATE - INFO & TECH COLL., - PHASE III - STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY
Code	po7540.04 jc 11/20
Status	
Adopted	April 12, 2016

REPLACEMENT POLICY - SPECIAL UPDATE - INFO & TECH COLL. - PHASE III

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 _____designee_____ 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. **(x)** The Superintendent or _____designee_____ may also disable the technology protection measures to enable access for bona fide research or other lawful purposes.

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

- A. the safety and security of students while using e-mail, chat rooms, 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.

[x] 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.

[x] 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.

[x] With prior approval from the Superintendent or _____designee_____, 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.

[NOTE: If language about social media is added to Policy 7540, choose the appropriate option to match that language]

[x] 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 _____ designees _____ 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.

[x] 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 or 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.

[END OF OPTION]

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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. 6301 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended

20 U.S.C. 6777 (2003)

20 U.S.C. 9134 (2003)

18 U.S.C. 2256

18 U.S.C. 1460

18 U.S.C. 2246

47 C.F.R. 54.500

47 C.F.R. 54.501

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47 C.F.R. 54.522

47 C.F.R. 54.523

Cross References

po7540 - TECHNOLOGY

ap7540.04 - STAFF NETWORK AND INTERNET ACCEPTABLE USE AND SAFETY

Last Modified by Jacquelin Collins on November 20, 2020

Book	Policy Manual
Section	Special - School Safety - May 2019
Title	REVISED POLICY - SPECIAL - SCHOOL SAFETY - STUDENT RECORDS
Code	po8330 jc 11/17/20
Status	
Adopted	April 12, 2016
Last Revised	August 14, 2018

REVISED POLICY - SPECIAL - SCHOOL SAFETY

8330 - STUDENT RECORDS

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

Maintenance of Student Records

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

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

A. Category A Records, Permanent Information

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

B. Category B Records, Temporary Information

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

2. Reports of student services or exceptional student staffing committees including all information required by F.S. 1001.42.
3. Correspondence from community agencies or private professionals.
4. Driver education certificate.
5. A list of schools attended.
6. Written agreements of corrections, deletions, or expunctions as a result of meetings or hearings to amend educational records.
7. Written requests to waive access to confidential records.
8. Written requests to restrict the release of directory information.
9. Court orders of relevance.
10. Records of major student disciplinary actions, suspension, and/or expulsion records.
11. Home language survey.
12. Student Limited English Proficiency (LEP) Plans.
13. Such other records of educational importance as the school shall deem necessary.
14. Records designated for retention by the Florida Department of State in General Records Schedule GS7 for Public Schools Pre-K - 12, Adult and Vocational/Technical.

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

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

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

Type Record	Location	Custodian	Address
Active and inactive student records as specified in the current Student Records Manual for the District	Last school attended	Principal of last school attended	As shown in local directory
Inactive student cumulative records (Category A) as specified in the current Student Records Manual for the District	Central District office	Superintendent or designee	Records Management Educational Services Facility
Individual exceptional student education records as specified in the current Student	Last school attended	Principal of last school attended	As shown in local directory

Records Manual for
the District

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

Last school attended	Principal of last school attended	As shown in local directory
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Limitations on Collection and Retention of Certain Information

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

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

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

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

Access to Student Records

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

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

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

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

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

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

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

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

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

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

(x) upon request, free of charge.

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

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

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

- A. the parent, guardian, or eligible student is, upon request, notified of the names of all persons submitting confidential letters or statements; and
- B. such recommendations or evaluations are used solely for the purpose for which they were specifically intended.

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

Court Request of Records

- A. Student records may be disclosed to a court of competent jurisdiction provided that reasonable notification is given in advance to the parents and student. If the principal or his/her designee is unable to notify prior to the time for compliance set forth in the court order, s/he shall bring to the court's attention the provision of the Family Educational Rights and Privacy Act of 1974 and comply with the court's instruction.
- B. Student records may be disclosed pursuant to a lawfully issued subpoena, upon the condition that the student, or his/her parent if the student is either a minor and not attending an institution of postsecondary education or a dependent of such parent as defined in 26 U.S.C. 152 (s. 152 of the Internal Revenue Code of 1954), is notified of the order or subpoena in advance of compliance therewith by the educational institution or agency.

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

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

Hearing Procedure to Correct Student Records

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

If the parties at the informal meeting agree to make deletions, to expunge material, or to add a statement of explanation or rebuttal to the file, such agreement shall be reduced to writing and signed by the parties, and the appropriate school officials shall take the necessary actions to implement the agreement. If an agreement is not reached, denial of the request and notification of the right to a formal hearing shall be made in writing to the parent, guardian, or eligible student with a copy to the Superintendent or designee.

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

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

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

Disclosure of Student Record Information

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

A. Prior Written Consent

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

B. Without Prior Written Consent

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

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

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

This written agreement must include:

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

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

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

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

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

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

6. Accrediting organizations, in order to carry out their accrediting functions.
7. School Readiness programs as provided in State law in order to carry out their assigned duties.
8. For use as evidence in student expulsion hearings conducted by a district school board under F.S. Chapter 120; however, public records of expulsion hearings shall not contain any personally identifiable information.

9. Appropriate parties in connection with an emergency, if knowledge of the information in the student's educational records is necessary to protect the health or safety of the student or other individuals.
10. The Auditor General and the Office of Program Policy Analysis and Government Accountability in connection with their official functions; however, except when the collection of personally identifiable information is specifically authorized by law, any data collected by the Auditor General and the Office of Program Policy Analysis and Government Accountability is confidential and exempt from F.S. 119.07 (1) and shall be protected in a way that does not permit the personal identification of students and their parents by other than the Auditor General, the Office of Program Policy Analysis and Government Accountability, and their staff, and the personally identifiable data shall be destroyed when no longer needed for the Auditor General's and the Office of Program Policy Analysis and Government Accountability's official use.
11. A court of competent jurisdiction in compliance with an order of that court or the attorney of record in accordance with a lawfully issued subpoena, upon the condition that the student and the student's parent are notified of the order or subpoena in advance of compliance therewith by the educational institution or agency.

Student records may be disclosed pursuant to a lawfully issued subpoena, upon the condition that the student, or his/her parent if the student is either a minor and not attending a postsecondary educational institution or a dependent of such parent as defined in 26 U.S.C. 152 (section 152 of the Internal Revenue Code of 1954), is notified of the order or subpoena in advance of compliance therewith by the educational institution or agency.
12. Credit bureaus, in connection with an agreement for financial aid that the student has executed, if the information is disclosed only to the extent necessary to enforce the terms or conditions of the financial aid agreement. Credit bureaus shall not release any information obtained under this paragraph to any person.
13. Parties to an interagency agreement among the Department of Juvenile Justice, school and law enforcement authorities, and other signatory agencies for the purpose of reducing juvenile crime and especially motor vehicle theft by promoting cooperation and collaboration, and the sharing of appropriate information in a joint effort to improve school safety, to reduce truancy and in-school and out-of-school suspensions, and to support alternatives to in-school and out-of-school suspensions and expulsions that provide structured and well-supervised educational programs supplemented by a coordinated overlay of other appropriate services designed to correct behaviors that lead to truancy, suspensions, and expulsions, and that support students in successfully completing their education. Information provided in furtherance of such interagency agreements is intended solely for use in determining the appropriate programs and services for each juvenile or the juvenile's family, or for coordinating the delivery of such programs and services, and as such is inadmissible in any court proceedings prior to a dispositional hearing unless written consent is provided by a parent or other responsible adult on behalf of the juvenile.
14. Consistent with the Family Educational Rights and Privacy Act, the Department of Children and Families or a community-based care lead agency acting on behalf of the Department of Children and Families, as appropriate.
15. Parents of a dependent student as defined by the Internal Revenue Service Tax Code of 1986 and in this policy.
16. "Directory information" as specified in this policy.
17. If the District initiates legal action (a lawsuit) against a parent, or if the parent initiates legal action against the District. In such circumstances, the District may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the District to proceed with legal action as the plaintiff or to defend itself.
18. If the release is to the Attorney General of the United States or to his/her designee in response to an ex parte order in connection with the investigation or prosecution of terrorism crimes specified in Sections 2331 and 2332 of Title 18, U.S. Code.

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

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

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

C. Record of Disclosures

Record of any requests or disclosures of personally identifiable student information shall be maintained except for

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

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

D. Disclosures - Health or Safety Emergencies

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

DIRECTORY INFORMATION

The District shall make available, upon request, certain information known as "directory information" without prior permission of the parents or the eligible student. The District shall charge fees for copies of designated directory information as provided in State law. Directory information means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. The Board designates as student "directory information": a student's name; photograph; address; telephone number, if it is a listed number; e-mail address; date and place of birth; participation in officially-recognized activities and sports; height and weight, if a member of an athletic team; dates of attendance; grade level; enrollment status; date of graduation or program completion; awards received; and most recent educational agency or institution attended. Designation of directory information shall occur at a regularly scheduled Board meeting. At the meeting, the Board shall consider whether designation of such information would put students at risk of becoming targets of marketing campaigns, the media, or criminal acts.

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

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

In accordance with Federal law, the District shall release the names and addresses 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, and telephone listing not be released without parental consent.

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

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

Transfer of Student Records

When a student, previously enrolled in the District transfers out of the District to another school, public or private, within this State or out of State, the ~~Principal~~, upon written request of the principal of the receiving school, the parent, guardian, or eligible student, shall, within three (3) school days, ~~immediately~~ transfer a copy of the student's cumulative record containing Category A and B information to the requesting school. Pursuant to Federal law, disciplinary records with respect to suspension and expulsion shall be considered "other records of educational importance" and, as a Category B record, shall be transferred to

the requesting school. The Board authorizes the administration to forward all Category A and B student records, including disciplinary records with respect to any current suspension and expulsion, upon request to a school or school district in which a student of this District is enrolled, seeks or intends to enroll, or is instructed to enroll, on a full-time or part-time basis, upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record. The school shall retain a copy of the Category A information in its files. A copy of the Category B (Exceptional Student Education Audit File) records will also be retained. Category B health and testing information shall be retained if it is related to a weighted or categorical program placement which is subject to audit. The files which are retained will be held by the Principal who is the custodian of the records for the period of time specified in the Student Records Manual. Category A student records and Category B (Exceptional Student Education Audit File) beyond the specified time after the student leaves the District will be forwarded to Records Management. When a request comes to the school for student records after the files have been sent to Records Management, the written request should be forwarded to Records Management. Based upon reasonable requests, viewers of educational records will receive explanation and interpretation of the records. Records Management will make copies of the student's files at the current the District's copy rate, which shall not exceed the maximum rate for copies of public records as set forth in F.S. Chapter 119.

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

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

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

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

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

- A. inspect and review the student's educational records;
- B. request amendments if the parent believes the record is inaccurate, misleading, or otherwise in violation of the student's privacy rights;
- C. consent to disclosures of personally-identifiable information contained in the student's educational records, except to those disclosures allowed by the law;
- D. challenge District noncompliance with a parent's request to amend the records through a hearing;
- E. file a complaint with the Department of Education;
- F. obtain a copy of the District's policy and administrative procedures on student records.

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

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

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

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

Any entity receiving personally identifiable information pursuant to a study, audit, evaluation or enforcement/compliance activity must comply with all FERPA regulations. Further, such an entity must enter into a written contract with the Board delineating its responsibilities in safeguarding the disclosed information. Specifically, the entity must demonstrate the existence of a sound data security plan or data stewardship program, and must also provide assurances that the personally identifiable information will not be re-disclosed without prior authorization from the Board. Further, the entity conducting the study, audit, evaluation or enforcement/compliance activity is required to destroy the disclosed information once it is no longer needed or when the

timeframe for the activity has ended, as specified in its written agreement with the Board. See Form 8330 F14 and Form 8330 F16 for additional contract requirements.

Request for Student Social Security Numbers at Enrollment

When a student enrolls in a District school, the District shall request that the student provide his/her social security number and shall indicate whether the student identification number assigned to the student is his/her social security number. A student satisfies this requirement by presenting his/her social security card or a copy of the card to a school enrollment official.

However, a student is not required to provide his/her social security number as a condition for enrollment or graduation.

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Legal	F.S. Chapter 119
	F.S. 1001.41
	F.S. 1001.52
	F.S. 1002.22
	F.S. 1002.221
	F.S. 1002.222
	F.S. 1003.25
	F.A.C. 6A-1.0955
	20 U.S.C. 1232f (FERPA)
	20 U.S.C. 1232g (FERPA)
	20 U.S.C. 1232h (FERPA)
	20 U.S.C. 1232i (FERPA)
	20 U.S.C. 7908
	26 U.S.C. 152
	20 U.S.C. 1400 et seq., Individuals with Disabilities Act
	Privacy Rights of Parents and Students - P.L. 90-247
	No Child Left Behind Act of 2001 - P.L. 107-110
Cross References	ap8330 - STUDENT RECORDS

Last Modified by Jacquelin Collins on November 17, 2020

Book	Policy Manual
Section	Special - School Safety - May 2019
Title	REVISED POLICY - SPECIAL - SCHOOL SAFETY - SCHOOL SAFETY AND SECURITY
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REVISED POLICY - SPECIAL - SCHOOL SAFETY

8405 - SCHOOL SAFETY AND SECURITY

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

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

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

- A. ☒ members of the Board;
- B. ☒ building administrators;
- C. ☒ representative(s) from the local emergency management agency;
- D. ☒ School Resource Officer(s);
- E. ☐ commissioned school safety officers;
- F. ☐ school guardians;
- G. ☒ security guards;
- H. ☒ local mental health ☐ agency ☒ agencies;
- I. ☐ teachers and staff;
- J. ☐ parents;
- K. ☐ students;
- L. ☐ (other, please specify) _____;
- M. ☐ (other, please specify) _____.

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

- 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;
- 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, 2019, and annually thereafter.

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

School Safety Specialist

The Superintendent of the School District of Lee County is responsible for designating ~~a school administrator to serve as the~~ District's School Safety Specialist. The School Safety Specialist must be employed by the School District of Lee County or a law enforcement officer employed by the _____ County Sheriff's Office. [DRAFTING NOTE: The Sheriff's Office must be located in the District] Prior to appointing a law enforcement officer to serve as the School Safety Specialist, the Superintendent must verify that the law enforcement officer has met all statutory requirements and has been authorized and approved by the _____ County Sheriff's Office to serve as the School Safety Specialist.

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

- A. reviewing District policies and procedures for compliance with Florida law and applicable rules, including the District's timely and accurate submission of school environmental safety incident reports to the Department pursuant to F.S. 1001.212;
- B. 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;
- C. 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;
- D. conduct annually, in collaboration with the appropriate public safety agencies, conducting a school security risk assessment in accordance with Florida law at each District school using the Florida Safe Schools Assessment Tool ~~school security risk 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.

- E. coordinating with appropriate public safety agencies, as defined in F.S. 365.171~~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;

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.

- F. 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;

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

1. an overview of mental illnesses and substance abuse disorders and the need to reduce the stigma of mental illness;
2. 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
3. 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.

G. _____

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.

Recommendations of the School Safety Specialist

Based on the findings of the school security risk assessment, the School Safety Specialist's designee, the Superintendent will update the Board with identified strategies and activities that the Board should implement in order to address the findings and improve school safety and security. ~~Annually, 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 the Board's action(s) to the Office of Safe Schools no later than thirty (30) days after the Board meeting.

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.

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.

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

[x] 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.

[x] convene a meeting of the building administrator, representative(s) of the local law enforcement **[] agency [x] 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

[x] 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.

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

[x] 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 primary purpose of a threat assessment is to minimize the risk of violence at schools. 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.

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.
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 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 pursuant to F.S. 985.04(1) as provided in F.S. 985.047;

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.

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.

Each threat assessment team shall report quantitative data on its activities to the Office of Safe Schools and shall utilize the threat assessment database developed pursuant to F.S. 1001.212.

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.

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

Student Crime Watch Program

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

Promotion of School Safety Awareness

In furtherance of Policy 8406 (Reports of Suspicious Activity and Potential Threats to Schools), the Board shall promote the use of the Florida Department of Education's mobile suspicious reporting tool ("FortifyFL") 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.

Implementation

~~The Superintendent shall develop administrative procedures as needed to enable proper implementation of this policy.~~

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Legal	F.S. 1006.07
	F.S. 1006.13
	F.S. 1006.1493
	Florida Safe Schools Assessment Tool
	Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates (U.S. Secret Service and U.S. Department of Education)
Cross References	po5113 - SCHOOL OF CHOICE OPTIONS PROVIDED BY THE NO CHILD LEFT BEHIND ACT
	po5500 - STUDENT CONDUCT
	po5600 - STUDENT DISCIPLINE
	po8330 - STUDENT RECORDS
	ap8405 - SCHOOL SAFETY

Last Modified by Jacquelin Collins on November 17, 2020

Book Policy Manual

Section Special - School Safety - May 2019

Title REVISED POLICY - SPECIAL - SCHOOL SAFETY - SAFE-SCHOOL OFFICERS

Code po8407 jc 11/17/20

Status

Adopted May 14, 2019

REVISED POLICY - SPECIAL - SCHOOL SAFETY

8407 - SAFE-SCHOOL OFFICERS

For the protection and safety of students, school personnel, visitors, and property, the District shall partner with ☒ local law enforcement agencies, ☐ security agencies to establish or assign one or more safe-school officers at each school in the District, including charter schools.

Further, the Board will collaborate with charter school governing boards located in the District to facilitate access to all safe-school officer options available pursuant to Florida law.

[SELECT ONE OR MORE OF THE OPTIONS BELOW]

☒ School Resource Officers

The School Board will enter into cooperative agreements with law enforcement agencies for the provision of school resource officers. School resource officers must be certified law enforcement officers as defined in F.S. 943.10(1) and employed by a law enforcement agency as defined in F.S. 943.10(4). School resource officers shall:

- A. undergo criminal background checks, drug testing, and a psychological evaluation;
- B. abide by Board policies and consult with and coordinate activities through school principals; and
- C. complete mental health crisis intervention training using a curriculum developed by a national organization with expertise in mental health crisis intervention. Such training must be designed to improve school resource officers' knowledge and skills as first responders to incidents involving students with emotional disturbance or mental illness, including de-escalation skills to ensure student and officer safety.

With respect to matters relating to employment, school resource officers shall be responsible to their law enforcement agency, subject to agreements between the Board and law enforcement agency. Activities conducted by school resource officers which are part of the regular instructional program of schools shall be under the direction of school principals.

The powers and duties of law enforcement officers shall continue throughout school resource officers' tenure.

[END SCHOOL RESOURCE OFFICERS OPTION]

☐ Commissioned School Safety Officers

~~The Superintendent shall recommend, and the School Board may appoint, one (1) or more school safety officers. School safety officers must be certified law enforcement officers as defined in F.S. 943.10(1), certified under the provisions of F.S. Chapter 943, and employed by either a law enforcement agency or the Board. School safety officers must undergo criminal background checks, drug testing, and a psychological evaluation.~~

~~School safety officers have and shall exercise the power to make arrests for violations of law on Board property and to arrest persons, whether on or off such property, who violate any law on such property under the same conditions that deputy sheriffs are authorized to make arrests. School safety officers have authority to carry weapons when performing their official duties.~~

~~The Board may enter into mutual aid agreements with one or more law enforcement agencies as provided in F.S. Chapter 23.~~

A school safety officer's salary may be paid jointly by the Board and law enforcement agency.

{END OF COMMISSIONED SCHOOL SAFETY OFFICERS OPTION}

{ } School Guardians (The Coach Aaron Feis Guardian Program)

The School Board ~~may~~ utilizes school guardians pursuant to The Coach Aaron Feis Guardian Program. The Superintendent shall be responsible for appointing school guardians. Prior to appointing school guardians, **[OPTION ONE] { } the Superintendent must provide the Board with evidence from the _____ Sheriff demonstrating that potential school guardians have met all the requirements set forth in F.S. 30.15. [END OPTION ONE] [OPTION TWO] { } the Superintendent must verify through evidence provided by the _____ Sheriff that potential school guardians have met all the requirements set forth in F.S. 30.15. [END OPTION TWO]**

School guardians do not have the power of arrest or the authority to act in any law enforcement capacity except to the extent necessary to prevent or abate an active assailant incident ~~on a District school premises. In support of school sanctioned activities for purposes of F.S. 790.115, the following individuals may serve as a school guardian:~~

- A. ~~a District employee or personnel as defined under F.S. 1002.01 who volunteers to serve as a school guardian in addition to his/her official job duties; or~~
- B. ~~a District employee who is hired for the specific purpose of serving as a school guardian.~~

~~Individuals who exclusively perform classroom duties as classroom teachers as defined in F.S. 1012.01(2)(a) are prohibited from serving as school guardians, unless such individuals are classroom teachers of a Junior Reserve Officers' Training Corps program, current service members as defined in F.S. 250.01, or current or former law enforcement officers as defined in F.S. 943.10(1), (6), or (8).~~

{END OF SCHOOL GUARDIANS OPTION}

{ } School Security Guards

~~Pursuant to F.S. 1006.12, the Board contracts with one (1) or more security agencies to provide appropriately licensed and trained security guards. All contracts with security agencies, among other things, define the entity or entities responsible for training and the responsibilities for maintaining records relating to training, inspection, and firearm qualification.~~

~~All security guards serving in the capacity of a safe school officer pursuant to this policy and Florida law are in support of school sanctioned activities for purposes of F.S. 790.115 and must aid in the prevention or abatement of active assailant incidents on school premises.~~

{END OF SCHOOL SECURITY GUARDS OPTION}

Notification of Incidents Involving Safe-School Officer Discipline and Firearm Discharge

~~The Superintendent is responsible for notifying the _____ County Sheriff Cape Coral Police Department immediately after, but no later than seventy-two (72) hours after, the occurrence of the following:~~

- A. ~~a Safe-School Officer is dismissed for misconduct or disciplined; and~~
- B. ~~a Safe-School Officer discharges his/her firearm in the exercise of his/her duties other than for training purposes.~~

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Legal F.S. 30.15
F.S. 1006.12

Last Modified by Jacquelin Collins on November 17, 2020

Book	Policy Manual
Section	Special - School Safety - May 2019
Title	REVISED POLICY - SPECIAL - SCHOOL SAFETY - EMERGENCY MANAGEMENT, EMERGENCY PREPAREDNESS, AND EMERGENCY RESPONSE AGENCIES
Code	po8420 jc 11/17/20
Status	
Adopted	April 12, 2016
Last Revised	October 8, 2019

REVISED POLICY - SPECIAL - SCHOOL SAFETY

8420 - EMERGENCY MANAGEMENT, EMERGENCY PREPAREDNESS, AND EMERGENCY RESPONSE AGENCIES

Emergency Management and Emergency Preparedness

The School Board recognizes that its responsibility for the safety of students and staff requires that it formulate and prescribe in consultation with appropriate public safety agencies emergency management and emergency preparedness procedures for all public schools in the District, including emergency notification procedures for life-threatening emergencies, including, but not limited, fires; natural disasters; bomb threats; weapon-use, hostage and active shooter situations; hazardous materials or toxic chemical spills; weather emergencies, including hurricanes, tornadoes, and severe storms; and exposure as a result of a manmade emergency and that such emergencies are best met by preparedness and planning.

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

Pursuant to Policy 8405 - School Safety and Security, the Superintendent (in conjunction with the School Safety Specialist) shall develop, and revise as necessary, a School Safety Plan to provide for the safety and welfare of the students and staff, as well as a system of emergency preparedness and accompanying procedures that provide for the following:

- A. a listing of the commonly used alarm system response for specific types of emergencies and verification by each school that drills have been provided as required by law and fire protection codes;
- B. the health and safety of students and staff are safeguarded;
- C. embraces a collaborative effort with community emergency responders;
- D. the time necessary for instructional purposes is not unduly diverted;
- E. minimum disruption to the educational program occurs;
- F. students are helped to learn self-reliance and trained to respond sensibly to emergency situations;
- G. the system is supported by ongoing training that will include practical application and appropriate "drills" as required by F.S. 1001.42;
- H. evacuation drills should represent actual emergencies, including, but not limited to firearm, natural disasters, and bomb threats;
- I. emergency egress and relocation drills (including, but not necessarily limited to, fire drills) in accordance with the requirements of the Florida Fire Prevention Code, the Fire Code (NFPA 1), and the Life Safety Code (NFPA 101);
- J. drills for active shooter and hostage situations shall be conducted in accordance with developmentally appropriate and age-appropriate procedures at least as often as other emergency drills; and

K. floor plans of each school must be provided to all community emergency responders in support of evacuation procedures.

All threats to the safety of District facilities, students and staff shall be identified by appropriate personnel and responded to promptly in accordance with the plan for emergency preparedness. Any aspect of the emergency preparedness plan and/or procedures that are included in the School Safety Plan shall remain confidential and exempt from public records disclosure in accordance with State law.

The Superintendent, as part of the development of the emergency preparedness plan and procedures, shall establish a schedule to test the functionality and coverage capacity of all emergency communication systems and determine if adequate signal strength is available in all areas of school campuses.

List of Primary Emergency Response Agencies

The primary emergency response agencies that are responsible for notifying the District for each type of emergency are as follows:

A. Fires:

City of Cape Coral Fire Department

B. Natural Disasters:

Emergency Operations Center
City of Cape Coral

C. Bomb Threats:

City of Cape Coral Police Department

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

City of Cape Coral Police Department

E. Hazardous Materials or Toxic Chemical Spills:

Risk Management, City of Cape Coral
City of Cape Coral Fire Department

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

City of Cape Coral Emergency Operations Center

G. Fire Chief

H. Exposure as a Result of a Manmade Emergency:

City of Cape Coral Fire Department

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

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

~~The Superintendent shall develop administrative procedures for the implementation of this policy.~~
The information in this section shall be part of the School Safety and Security Plan, and, therefore, confidential.

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Legal

Florida Fire Prevention Code (F.S. 633.202)

F.S. 1001.43

F.S. 1006.07

F.S. 1013.13

Fire Code (NFPA 1)

Life Safety Code (NFPA 101)

Cross References

po7440.01 - PROTECTION OF PERSONNEL AND PROPERTY

po8405 - SCHOOL SAFETY AND SECURITY

ap8420 - EMERGENCY PROCEDURES

ap8420A - SEVERE WEATHER AND TORNADOES

Last Modified by Jacquelin Collins on November 17, 2020

Book	Policy Manual
Section	Special Update Coronavirus Disease (COVID-19) - March 2020
Title	REISSUED POLICY - SPECIAL UPDATE - CORONAVIRUS DISEASE (COVID-19) - MARCH 2020 - CONTROL OF CASUAL-CONTACT COMMUNICABLE DISEASES
Code	po8450jc 12/20
Status	
Adopted	April 12, 2016

REISSUED POLICY - SPECIAL UPDATE - CORONAVIRUS DISEASE (COVID-19) - MARCH 2020

8450 - CONTROL OF CASUAL-CONTACT COMMUNICABLE DISEASES

The School Board recognizes that control of the spread of communicable disease spread through casual contact is essential to the well-being of the school community and to the efficient District operation.

For purposes of this policy, "casual-contact communicable disease" shall include:

- A. ☒ diphtheria,
- B. ☒ scarlet fever and other strep infections,
- C. ☒ whooping cough,
- D. ☒ mumps,
- E. ☒ measles,
- F. ☒ rubella,
- G. ☒ others designated by the Florida Department of Public Health.

In order to protect the health and safety of the students, District personnel, and the community at large, the Board shall follow all State statutes and Health Department regulations which pertain to immunization (see also Policy 5320) and other means for controlling communicable disease spread through normal interaction in the school setting.

If a student exhibits symptoms of a communicable disease, then the Principal will isolate the student in the building, contact the school nurse, and attempt to contact the parents. Isolation of a student means the separation of a student who is reasonably believed to be infected with a communicable disease from individuals who are not infected to prevent the possible spread of the disease. The District will follow directives from the Lee_____ County Health Department regarding notification of that department when a student appears to have, or have been, exposed to a communicable disease, as well as directives from the _____Lee_____ County Health Department regarding whether or not the student should be excluded from school for a prescribed period of time.

The Superintendent shall develop administrative procedures for the control of communicable disease which shall include, but not be limited to, the following:

- A. ☒ instruction of instructional staff members in the detection of these common diseases and measures for their prevention and control;

- B. ☒ removal of students from District property to the care of a responsible adult;
- C. ☒ preparation of standards for the readmission of students who have recovered from casual-contact communicable diseases;
- D. ☒ filing of reports as required by statute and the State Department of Health.

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Legal F.S. 381.00315
 F.S. 1003.22

Last Modified by Jacquelin Collins on December 2, 2020

Item Number: 8.B.
Meeting Date: 12/8/2020
Item Type: CONSENT AGENDA:

AGENDA REQUEST FORM
City Of Cape Coral Charter School Authority

TITLE:

Request for Approval of the Oasis Charter Schools Instructional Calendar School Year 2021-2022
- Superintendent Collins

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

ATTACHMENTS:

Description	Type
▣ OCS CALENDAR 2021-2022	Backup Material



The School District of Lee County

2021 -2022

Instructional Calendar

July 2021							January 2022						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
				1	2	3						1	JAN 1 New Year's Day
4	5	6	7	8	9	10	2	3	4	5	6	7	8
11	12	13	14	15	16	17	9	10	11	12	13	14	15
18	19	20	21	22	23	24	16	17	18	19	20	21	22
25	26	27	28	29	30	31	23	24	25	26	27	28	29
							30	31					JAN 17 Martin Luther King Jr. Day
August 2021							February 2022						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7			1	2	3	4	5
8	9	10	11	12	13	14	6	7	8	9	10	11	12
15	16	17	18	19	20	21	13	14	15	16	17	18	19
22	23	24	25	26	27	28	20	21	22	23	24	25	26
29	30	31					27	28					
September 2021							March 2022						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
			1	2	3	4			1	2	3	4	5
5	6	7	8	9	10	11	6	7	8	9	10	11	12
12	13	14	15	16	17	18	13	14	15	16	17	18	19
19	20	21	22	23	24	25	20	21	22	23	24	25	26
26	27	28	29	30			27	28	29	30	31		
October 2021							April 2022						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2						1	2
3	4	5	6	7	8	9	3	4	5	6	7	8	9
10	11	12	13	14	15	16	10	11	12	13	14	15	16
17	18	19	20	21	22	23	17	18	19	20	21	22	23
24	25	26	27	28	29	30	24	25	26	27	28	29	30
31													
November 2021							May 2022						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
	1	2	3	4	5	6	1	2	3	4	5	6	7
7	8	9	10	11	12	13	8	9	10	11	12	13	14
14	15	16	17	18	19	20	15	16	17	18	19	20	21
21	22	23	24	25	26	27	22	23	24	25	26	27	28
28	29	30					29	30	31				
December 2021							June 2022						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
			1	2	3	4				1	2	3	4
5	6	7	8	9	10	11	5	6	7	8	9	10	11
12	13	14	15	16	17	18	12	13	14	15	16	17	18
19	20	21	22	23	24	25	19	20	21	22	23	24	25
26	27	28	29	30	31		26	27	28	29	30		

- Holiday – Schools Closed
- Professional Duty Day – No School For Students
- Preschool Days – No School For Students
- First and Last Student Day
- Early Dismissal Days – Students
- Hurricane Make-Up Day
- Professional Duty / Early Release

Special Notes

- All Jewish Holidays begin at sundown the day before they are listed

Item Number: 8.C. Meeting Date: 12/8/2020 Item Type: CONSENT AGENDA:

AGENDA REQUEST FORM
City Of Cape Coral Charter School Authority

TITLE:

Request for Approval of the Purchase Waiver for the Oasis High School Scoreboard - Danielle Jensen, Director of Procurement

SUMMARY:

ADDITIONAL INFORMATION:


RECOMMENDED ACTION:

ATTACHMENTS:

Description	Type
ohs scoreboard waiver dec 2020	Backup Material

Cape Coral Charter School Authority

Administration Division

TO: Cape Coral Charter School Authority Governing Board
THRU: Jacquelin Collins, Superintendent 
FROM: Danielle Jensen, Director of Procurement and Food Services
DATE: December 2, 2020
SUBJECT: OHS Scoreboard Purchase Waiver

Background

OHS budgeted for two new scoreboards to be installed in the high school gym for sporting events. The Charter School contacted Athletic Resources who has sourced most of the athletic installation and repair needs. Athletic Resources works with a vendor called Varsity Scoreboards who has been awarded a GSA contract GS-03F-007OU through the 1122 Program. Athletic Resources agreed to purchase and install the two scoreboards for \$3600. The scoreboards, wireless controllers and receivers, and logos would be a delivered cost of \$10,680. With the agreement that the scoreboard costs were GSA pricing, the Charter School issued the PO to Athletic Resources to complete the work.

A change order was requested to adjust the logo cost. While the city reviewed, the change order they questioned the use of the GSA contract. With further review, the 1122 Program is to be used for counter-drug activities, homeland security, and emergency response activities. While the GSA pricing is being utilized, the Charter School is not technically allowed to use the GSA contract for pricing. Since the Charter School was under the assumption, they could use the contract, additional quotes were not obtained. Checking with Sportable Scoreboards, the manufacturer of the scoreboards, the pricing is same as was quoted with GSA pricing.

Since the Charter School cannot use this contract for this need due to the requirements of the 1122 Program, the Charter School is requesting to waive the required procurement procedures and move forward with purchase of the scoreboards.

Item Number:	9.A.
Meeting Date:	12/8/2020
Item Type:	SUPERINTENDENT REPORT:

AGENDA REQUEST FORM
City Of Cape Coral Charter School
Authority

TITLE:

Recommendations - Florida Safe Schools Assessment Tool (FSSAT)

SUMMARY:

The Florida Department of Education developed the Florida Safe Schools Assessment Tool (FSSAT) to provide a secure, online risk assessment portal for conducting school security risk assessments. The FSSAT was developed, as directed, under section (s.) 1006.1493, Florida Statutes, to be the primary physical site security assessment tool for use by school officials at each district and charter school.

The FSSAT requires each school principal to complete the assessment with assistance of a School Safety Specialist, interdepartmental personnel, and other public safety agencies (i.e. Fire Department, City of Cape Coral Police Department, and the City of Cape Coral Risk Management Department).

The FSSAT also requires that findings in the form of recommendations are presented to the Governing Board at a publicly noticed meeting for discussion and possible action.

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

Item Number:	9.B.
Meeting Date:	12/8/2020
Item Type:	SUPERINTENDENT REPORT:

AGENDA REQUEST FORM
City Of Cape Coral Charter School
Authority

TITLE:

Summary - Oasis Charter Schools Strategic Planning Workshops

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

Item Number: 10.A. Meeting Date: 12/8/2020 Item Type: CHAIRMAN REPORT:

AGENDA REQUEST FORM
City Of Cape Coral Charter School Authority

TITLE:

Chairman Michael Campbell

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

Item Number: 11.A.

Meeting Date: 12/8/2020

Item Type: FOUNDATION REPORT:

AGENDA REQUEST FORM

City Of Cape Coral Charter School Authority

TITLE:

Gary Cerny, Foundation President or Jennifer Hoagland, Treasurer

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

Item Number: 12.A. Meeting Date: 12/8/2020 Item Type: STAFF COMMENT:

AGENDA REQUEST FORM
City Of Cape Coral Charter School Authority

TITLE:

Oasis Charter Schools Food Services Holiday Donations - Danielle Jensen, Director Food Services

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

Item Number: 12.B.
Meeting Date: 12/8/2020
Item Type: STAFF COMMENT:

AGENDA REQUEST FORM
City Of Cape Coral Charter School Authority

TITLE:

School Report - Dr. Christina Britton, Principal, Oasis High School

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

Item Number: 13.A.
Meeting Date: 12/8/2020
Item Type: UNFINISHED BUSINESS:

AGENDA REQUEST FORM
City Of Cape Coral Charter School Authority

TITLE:

Request for Approval of the Oasis Charter Schools' "Spring 2021 - Educational Plan & Assurances " - Superintendent Collins Please go online to view the plans at:
<https://www.capecharterschools.org> Click the HOME banner

SUMMARY:

Please go online to view Oasis Charter Schools' "Spring 2021- Instructional Continuity Plans" at:
<https://www.capecharterschools.org> Click: Home

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

ATTACHMENTS:

Description	Type
▢ DOE SPRING EDUC PLAN & ASSURANCES	Backup Material

**STATE OF FLORIDA
DEPARTMENT OF EDUCATION**

FILED AGENCY CLERK

2020 NOV 30 AM 8:54

DEPT OF EDUCATION
TALLAHASSEE FLA

DOE ORDER NO. 2020-EO-07

IN RE: WAIVING STRICT
ADHERENCE TO THE FLORIDA
EDUCATION CODE, AS SPECIFIED
HEREIN, PURSUANT TO
EXECUTIVE ORDER NUMBER 20-
52, MADE NECESSARY BY THE
COVID-19 PUBLIC HEALTH
EMERGENCY

EMERGENCY ORDER

WHEREAS, the Governor of the State of Florida issued Executive Order No. 20-276, ratifying and reaffirming Executive Order No. 20-52, declaring a state of emergency in response to the COVID-19 Public Health Emergency; and,

WHEREAS, in Florida Division of Emergency Management Order No. 20-004, the State Coordinating Officer directed the Florida Department of Education in coordination with educational providers to take all appropriate action to promote the health, safety, welfare and education of Florida's students during the emergency; and,

WHEREAS, the Commissioner of Education issued DOE Order No. 2020-EO-06, providing funding stability for school districts and educational options for parents during the pandemic, including in-person, innovative and virtual instruction; and,

WHEREAS, thanks to Florida's courageous and dedicated educators and local school leaders, all 67 county school districts, all state university laboratory schools and the Florida School for the Deaf and the Blind opened for in-person instruction so that nearly 65% of Florida's public school students (approximately 1.85 million) are learning in-person; and,

WHEREAS, parents and districts continue to need the educational and financial benefits provided by DOE Order No. 2020-EO-06, including funding stability as students continue to return to in-person instruction, supports for students who are not meeting grade-level expectations and an array of learning modalities (in-person, innovative, virtual) so that parents can select the option best suited for their children; and,

WHEREAS, disproportionate numbers of students who are already educationally disadvantaged are learning off-campus or not attending school at all, and certain achievement gaps are widening, such that additional supports and interventions are needed to reach children who are not enrolled in school and to help students who are enrolled but experiencing academic losses during the pandemic.

NOW, THEREFORE, I, Richard Corcoran, Commissioner of the Florida Department of Education (Department), pursuant to the authority granted by Executive Order 20-52 and Florida Division of Emergency Management Order No. 20-004, issue this Order to accomplish the goals of: 1) building on the successful reopening of all public schools to in-person instruction; 2) promoting parental choice while ensuring that every student is making adequate academic progress; 3) providing financial continuity to enable each school district to maintain the full panoply of services for the benefit of Florida students and families, including students from vulnerable populations such as low-income families, migrant families, the homeless, English Language Learners, students in foster care and students with disabilities; and 4) empowering every district to maintain high-quality school choices for Florida students and families with a focus on eliminating achievement gaps, which have been exacerbated by the crisis. I further find that the flexibility provided for in this Order is necessary to respond to and mitigate the impact of the emergency and promote the health, safety, and welfare of persons connected with Florida's educational system.

I. Spring 2021 Education Plans.

- a. In order to receive the benefits provided for in this Order, school districts must submit to the Department a Spring 2021 Education Plan that satisfies the requirements of this Order by Tuesday, December 15, 2020. Similarly, each charter school governing board must submit a Spring 2021 Education Plan to the sponsoring district by Friday, December 15, 2020. Either a school district or a charter school governing board may request assistance from the Department to resolve any disputes over a sponsor's approval of a charter school's Spring 2021 Education Plan. The Department will seek to resolve such disputes within three business days. The Department may withhold approval of a school district's Spring 2021 Education Plan until such time as all the charter school Spring 2021 Education Plans in the district have been approved by the district.
- b. Spring Intervention Plans. As a component of a district's Spring 2021 Education Plan, districts must submit a Spring Intervention Plan for students identified for expanded learning and supplemental interventions and services. The plan must document the interventions for reading and mathematics, by grade-level and learning modality, the method of identification of students, and include an explanation of how notice of these services and the need for services will be provided to parents/guardians. Spring Intervention Plans must be designed to focus on closing achievement gaps, particularly those that were exacerbated during the pandemic. Any plans for interventions that will continue into Summer 2021 for students with widening grade-level deficiencies must be identified in Spring Intervention Plans. Districts or charter schools that experienced lost instructional time due to delayed opening or temporary closures must provide an explanation of how lost instruction time has been or will be made up.
- c. The format of plan submissions and assurances, as well as the timing of review and approvals, will be established by the Commissioner of Education. The

submission of Spring 2021 Education Plans, including the companion Spring Intervention Plan, and subsequent approval of those plans do not constitute a waiver of state statutes regarding instructional days and hours, rather, approval demonstrates how the district or school adheres to those statutes and rules. Nothing herein requires a district or charter school to submit a plan if the district or charter school wishes to open in traditional compliance with statutory requirements for instructional days and hours. Such districts or charter schools will be subject to funding increases and decreases in the manner prescribed in Florida law for the Spring semester.

II. School District and Charter School Requirements for Benefits of the Order.

- a. All schools remain open. All school boards and charter school governing boards must continue to open brick and mortar schools at least five days per week for all students, subject to advice and orders of the Florida Department of Health, local departments of health, and subsequent executive orders. The day-to-day decision to open or close a school must always rest locally with the board or executive most closely associated with a school: the superintendent or school board in the case of a district-run school; the charter governing board in the case of a public charter school; or the private school principal, director or governing board in the case of a nonpublic school. Strict compliance with requirements of section 1001.42(4)(f), Florida Statutes, requiring school districts to establish a uniform and fixed date for the opening and closing of schools is waived to the extent necessary to give effect to this Order. In addition, strict compliance with sections 1003.02 and 1011.60(2), Florida Statutes, requiring school districts to operate public schools for a minimum of 180 days or an hourly equivalent is waived to the extent necessary to give effect to this Order, consistent with an approved Spring 2021 Education Plan. Further, strict compliance with the reporting requirements for educational planning and information, as set forth in section 1008.385, Florida Statutes, and Rule 6A-1.0014, Florida Administrative Code, is waived to the extent necessary to give effect to this Order, consistent with an approved Spring 2021 Education Plan.
- b. Continue full panoply of services. Pursuant to the authority granted in section 1001.10(8), Florida Statutes, school districts and charter school governing boards must provide the full array of services that are required by law so that families who wish to educate their children in a brick and mortar school full time have the opportunity to do so; these services include in-person instruction (barring a state or local health directive to the contrary), and specialized instruction and services for students with Individual Educational Plans (IEPs). Required services must be provided to students from low-income families, students of migrant workers, students who are homeless, students with disabilities, students in foster care, students who are English Language Learners and other vulnerable populations.
- c. Continue progress monitoring and interventions. Robust progress monitoring and requisite interventions must be extended to all students with tiered support

for students who are not making adequate progress. Progress monitoring data must be shared regularly with the Department, as prescribed, to help ensure that resources are rapidly deployed to support students who are failing to make adequate progress.

- d. Continue expanded learning and supplemental interventions and services. School districts and charter schools must provide supplemental services (such as after-school tutoring, Saturday Academies, Summer Intervention Camps), for any student who, based upon progress monitoring or other data, has not achieved grade-level mastery or who is not on track to achieve a minimum of one year of academic growth during the 2020-21 school year. Such students must be identified by districts and charter schools as soon as possible and provided written notice of the need and availability of these services. School districts and charter schools must use progress monitoring data to track these students, regardless of whether or not they participate in supplemental services.
- e. Continue services for students with disabilities and English Language Learners (ELLs).

1. Students with IEPs must be given the services necessary to ensure that they receive a free and appropriate education, in accordance with their IEPs. School districts must continue to work with IEP Teams to identify students who may have regressed during school closures or during the fall term. School districts must ensure that IEP Teams are appropriately determining needed services, including compensatory services. IEP Teams must follow a student-centered approach and, in accordance with Rule 6A-6.0331, Florida Administrative Code, provide a multi-tiered system of support with a commitment to ensure that the individual needs of each child are met.

2. If an English Language Learner's English reading, writing, listening or speaking skills have regressed during school closures, school districts should convene an ELL Committee meeting with appropriate staff and parents to determine if additional or supplemental English for Speakers of Other Languages (ESOL) services are needed. Although ELL Committee meetings may take place virtually or on-site, school districts should ensure that appropriate identification of English skills has been noted and that schools have the resources to implement additional interventions and strategies. Until Florida Standards Assessment (FSA) for English Language Arts (ELA) assessment scores are available, and despite Rule 6A-6.0903(2)(a)2.b. and c., Florida Administrative Code, school districts are authorized to use scores from district reading assessments, such as progress monitoring, in lieu of FSA-ELA assessment scores, to exit a student from an ESOL program for the 2020-21 school year. Further, despite the requirements of Rule 6A-6.09022(2), Florida Administrative Code, districts may use existing proficiency assessment scores, in lieu of re-testing students for the 2020-21 school year, when determining whether to provide extended services to ELL beyond three years.

- f. Charter school flexibility. School districts must extend the same flexibility in instructional methods and funding to every charter school that submits a Spring 2021 Education Plan to the sponsoring district addressing the requirements set forth in this Order. Charter schools with an approved Spring 2021 Education Plan are authorized to exercise the flexibility provided in this Order. For charter schools with an approved Spring 2021 Education Plan, school districts must adjust funding for their increases or decreases in the same manner that the state funds the enrollment increases or decreases of districts with an approved Spring 2021 Education Plan.
- g. Innovative learning modality. School districts and charter schools are authorized to continue the innovative learning modality in the Spring semester. However, except as provided below, any student who is not making adequate academic progress in the innovative learning modality must be transitioned to another learning modality (in-person, virtual) as soon as practicable. In order for a student who is not making adequate progress to remain in the innovative learning modality, the district or charter school must: 1) provide written notice to the parent or guardian that the child is not making adequate progress and any associated education risks; and 2) obtain written acknowledgement from the parent or guardian verifying the receipt of this information and the intent to remain in the innovative learning modality. Students that are transitioned out of the innovative learning modality based on this requirement must be given additional interventions and supports.
- h. Parental selection of learning modality. School districts and charter schools must not unreasonably restrict the decision of a parent or guardian to alter the learning modality (in-person, innovative, virtual) that best suits their child's needs. Restricting when changes can be made to a certain time of the semester or requiring more than a week's notice prior to changing a student's learning modality are presumptively unreasonable.
- i. Truancy/Attendance of students. School districts must provide enhanced outreach to parents and guardians to ensure maximum in-person enrollment and participation in school. Districts must identify Voluntary Pre-kindergarten and kindergarten-eligible students in their district with the goal of engaging students to maximize kindergarten readiness to support long-term achievement. Efforts to enforce attendance and discourage absenteeism and truancy must be given priority. Every Spring 2021 Education Plan must identify the resources the district will deploy to ensure that every child in the district is accounted for and is actively participating in the public education system, excluding students who are enrolled in private school or home education.
- j. Professional development. In order to assist teachers and their students, school districts must provide training and support to teachers with a focus on those teaching in an innovative and virtual environment for the first time, or who are not yet proficient with these teaching modalities. The training and support must include specific strategies designed to ensure that teachers are fully prepared to

support the intervention needs of their students, regardless of the learning modality.

III. Financial Continuity to Ensure High-Quality Educational Services.

- a. Funding for the Fall 2020 semester was set by DOE Order No. 2020-EO-06, which allowed districts to receive funding for the first half of the school year, based upon the General Appropriations Act (GAA) forecast. School districts receive this funding without regard to the results of the October survey.
- b. Funding provided to school districts and charter schools with an approved Spring 2021 Education Plan is designed to continue the financial continuity provided in DOE Order No. 2020-EO-06, with modifications to ensure districts with increased full-time equivalent (FTE) students following surveys 3 and 4 as set forth in Rule 6A-1.0451, Florida Administrative Code, are funded for that increase.
- c. School districts with an approved Spring 2021 Education Plan will receive Florida Education Finance Program (FEFP) funding for the Spring semester based on the methodology described below. For purposes of this Order, the term “GAA forecast” or “forecast appropriation” means the second half of the 2020-21 FEFP appropriation.
- d. The Department will use annualized FTE following surveys 3 and 4, and Add-on FTE from 2019-20 survey 5, to identify all “growth districts.” A growth district is a district where the annualized FTE following survey 3 or 4 (or both), and Add-on FTE from 2019-20 survey 5, generate greater funding for a district than the GAA forecast.
- e. For the Spring semester, each district will receive the greater of:
 - i. The forecast appropriation, less the cost to fund the growth districts; or
 - ii. The funding generated by surveys 3 and 4, and Add-on FTE from 2019-20 survey 5, less the cost to fund the growth districts. The funding generated by surveys 3 and 4, and Add-on FTE from 2019-20 survey 5, shall be equal to one-half of the Second FEFP Calculation plus one-half of the FEFP calculation following surveys 3 and 4.
- f. The cost to fund the increase in growth districts will be proportionately spread across all school districts.
- g. The Student Transportation categorical district allocations within the FEFP shall remain as calculated within the GAA.
- h. Any unused funds from a categorical funded through specific appropriations 8, 9, 92, or 93, shall be used to fund the FEFP for the Spring 2021 semester, consistent with this Order.

- i. Funding adjustments resulting from FTE audits, Earned vs. Paid calculation and other prior year adjustments are not affected by this order and will be processed as in past years.
- j. For charter schools with an approved Spring 2021 Education Plan, school districts must fund their FTE students in the same manner that the state funds districts with enrollment growth or decreases.

IV. Private Schools that Accept Scholarship Students.

Private schools that accept public scholarship students may be deemed by the Commissioner of Education to satisfy the requirements for each student to maintain direct student contact with teachers under section 1002.421, Florida Statutes, and “actual school instruction days” for purposes of satisfying the daily and hourly instructional time as set forth in Rule 6A-1.09512, Florida Administrative Code, by submitting a Spring 2021 Education Plan, by Tuesday, December 15, 2020, in a format prescribed by the Department, that provides: 1) access to student progress monitoring data; and 2) plans to provide interventions to struggling public scholarship students, and that does not unreasonably restrict a parent or guardian’s option to alter the learning modality (in-person, innovative, virtual) that best suits their child’s needs. Restricting when changes can be made to a certain time of the semester or requiring more than a week’s notice prior to changing a student’s learning modality are presumptively unreasonable.

V. Intensive Reading Interventions.

In order to ensure that students are provided intensive reading interventions when there are limited opportunities to complete reading certifications and endorsements, sections 1008.25(7)(b)3., 1011.62(9)(c)5., and 1011.62(9)(d)1., Florida Statutes, and Rule 6A-6.6053(9)(c)5., Florida Administrative Code, are suspended to allow teachers who are not yet fully certified or endorsed in reading to provide intensive reading interventions out-of-field until June 30, 2021.

VI. Waivers Require an Approved Spring 2021 Education Plan.

All of the statutory and rule waivers set forth in this Order for school districts and charter schools are contingent upon having an approved Spring 2021 Education Plan.

VII. Effective Date.

This Order is effective immediately, and shall remain effective through the 2021 Summer semester, unless extended by a subsequent emergency order.

DONE AND ORDERED this 30th day of November 2020, in
Tallahassee, Leon County, Florida.



Richard Corcoran
Commissioner of Education

I HEREBY CERTIFY that the above EMERGENCY ORDER has been filed with the
Agency Clerk of the Department of Education, on this 30 day of November
2020.



Agency Clerk

Item Number: 13.B.
Meeting Date: 12/8/2020
Item Type: UNFINISHED BUSINESS:

AGENDA REQUEST FORM
City Of Cape Coral Charter School Authority

TITLE:

Request for Approval to use the Discretionary Capital Appropriations that are within the Restricted Fund Balance to support Recommendations and Services regarding the replacement of the Oasis Elementary North Portables - Superintendent Collins

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

ATTACHMENTS:

Description	Type
▣ peco contested funds	Backup Material



START HERE. GO EVERYWHERE.

October 15, 2020

Mr. Gregory Adkins, Ed.D.
Superintendent
The School District of Lee County
2855 Colonial Boulevard
Fort Myers, Florida 33966

Dear Dr. Adkins:

Re: House Bill 7069 Contested Charter School Capital Outlay Funds

Recently, the Florida Supreme Court declined to accept jurisdiction in the lawsuit *School Board of Alachua County, Florida et al. vs. Florida Department of Education, State Board of Education et al.*, Case No. SC19-1649, which challenged the distribution of capital outlay funds to charter schools pursuant to House Bill 7069 from the 2017 legislative session. For your convenience, please see the attached copy of the Order.

In a communication dated February 18, 2018, Dr. Jeff McCullers put the Cape Coral Charter School Authority on notice of the lawsuit. He further advised that if the lawsuit was successful, the Lee County School District would demand the return of the distributed capital outlay funds. Please see the attached copies of the four letters received for each school from Dr. McCullers

Subsequently, the Charter School Authority has been holding the monies that were received as a result of House Bill 7069. However, the Supreme Court's refusal to accept jurisdiction effectively let stand a ruling by the 1st District Court of Appeal that HB 7069 was constitutional. Consequently, notice is hereby provided that the Cape Coral Charter School Authority will now begin using these monies consistent with the law's purpose.

However, if the Lee County School District has any objection, please notify me by November 1, 2020. If I receive no response, the charter schools will take that as acquiescence to our use of the funds in accordance with the House Bill.

Sincerely,

A handwritten signature in black ink that reads "Jacquelin Collins".

Jacquelin Collins

cc: Dolores Menendez, City Attorney
Brian Williams, Lee County School District Chief Legal Counsel
Kathy Dupuy-Bruno, Lee County School District, School Board Attorney

**FOUR
SCHOOLS,
ONE
VISION**

239.424.6100

239.541.1039

TheOasisAdvantage.com

3519 Oasis Blvd., Cape Coral, FL 33914

Supreme Court of Florida

TUESDAY, APRIL 7, 2020

CASE NO.: SC19-1649

Lower Tribunal No(s).:

1D18-2072; 372017CA002158XXXXXX

THE SCHOOL BOARD OF
ALACHUA COUNTY, FLORIDA,
ET AL.

vs. FLORIDA DEPARTMENT OF
EDUCATION, ET AL.

Petitioner(s)

Respondent(s)

This cause having heretofore been submitted to the Court on jurisdictional briefs and portions of the record deemed necessary to reflect jurisdiction under Article V, Section 3(b), Florida Constitution, and the Court having determined that it should decline to accept jurisdiction, it is ordered that the petition for review is denied.

No motion for rehearing will be entertained by the Court. *See Fla. R. App. P. 9.330(d)(2).*

CANADY, C.J., and POLSTON, LABARGA, LAWSON, and MUÑIZ, JJ., concur.

A True Copy

Test:



John A. Tomasino
Clerk, Supreme Court



dl

Served:

BRAXTON A. PADGETT
FRANK R. HARRISON
JAMIE MELISSA BRAUN
JASON D. BORNTREGER
SHAWN A. ARNOLD
STEVEN L. BRANNOCK

CASE NO.: SC19-1649

Page Two

JOSEPH T. EAGLETON

MATTHEW H. MEARS

CECI CULPEPPER BERMAN

AMIT AGARWAL

ROCCO E. TESTANI

PHILIP J. PADOVANO

HEATHER K. HUDSON

HON. KRISTINA SAMUELS, CLERK

HON. GWEN MARSHALL, CLERK

HON. JOHN C. COOPER, JUDGE



THE SCHOOL DISTRICT OF LEE COUNTY

2855 COLONIAL BLVD. ♦ FORT MYERS, FLORIDA 33966 ♦ WWW.LEESCHOOLS.NET

J.F. "JEFF" MCCULLERS, Ed.D.
DIRECTOR, GRANTS & PROGRAM DEVELOPMENT
LIAISON, PUBLIC CHARTER SCHOOLS
TELEPHONE (239) 337-8115 ♦ FACSIMILE (239) 337-8495

CATHLEEN O'DANIEL MORGAN
CHAIRMAN, DISTRICT 7
PAMELA H. LARIVIERE
VICE CHAIRMAN, DISTRICT 5

MARY FISCHER
DISTRICT 1

MELISA W. GIOVANNELLI
DISTRICT 2

CHRIS N. PATRICCA
DISTRICT 3

STEVEN K. TEUBER
DISTRICT 4

JANE E. KUCKEL, PHD
DISTRICT 6

GREGORY K. ADKINS, Ed. D.
SUPERINTENDENT

KEITH B. MARTIN, ESQ.
BOARD ATTORNEY

February 8, 2018

Mr. Robert Zivkovic
231 E 6th Street
Cape Coral, Florida 33914

Dear Mr. Zivkovic:

On January 31, 2018, charter school capital outlay funds were distributed to Christa McAuliffe Charter Elementary School by the Lee County School District as required by Section 1013.62(3)c., Florida Statutes. This provision of statute was enacted through adoption of House Bill 7069 at the 2017 legislative session and signed into law by Governor Scott.

The Lee County School District believes this provision of the statute violates the School Board's constitutional authority to control, operate, and supervise all public schools in the District. Litigation challenging the bill is pending in Leon County Circuit Court. The District petitioned the court seeking preliminary relief from the obligation to distribute funds on February 1. This relief was denied. At the hearing, counsel for the defendant Department of Education asserted that if the lawsuit is successful, districts can recover the distributed funds by withholding such amounts from FEFP distributions.

Notice is hereby provided that in the event the relevant provision of Florida Statute is found unconstitutional, the School District of Lee County will demand the return of the referenced capital outlay funds distributed to Christa McAuliffe Charter Elementary School. If the funds are not promptly returned, the amount will be withheld from future FEFP distributions. Please take this notice into consideration when planning use of the distributed funds.

Sincerely,

J.F. "Jeff" McCullers, Ed.D



THE SCHOOL DISTRICT OF LEE COUNTY

2855 COLONIAL BLVD. ♦ FORT MYERS, FLORIDA 33966 ♦ WWW.LEESCHOOLS.NET

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SUPERINTENDENT

KEITH B. MARTIN, ESQ.
BOARD ATTORNEY

February 8, 2018

Mr. Robert Zivkovic
3519 Oasis Boulevard
Cape Coral, Florida 33914

Dear Mr. Zivkovic:

On January 31, 2018, charter school capital outlay funds were distributed to Oasis Elementary School by the Lee County School District as required by Section 1013.62(3)c., Florida Statutes. This provision of statute was enacted through adoption of House Bill 7069 at the 2017 legislative session and signed into law by Governor Scott.

The Lee County School District believes this provision of the statute violates the School Board's constitutional authority to control, operate, and supervise all public schools in the District. Litigation challenging the bill is pending in Leon County Circuit Court. The District petitioned the court seeking preliminary relief from the obligation to distribute funds on February 1. This relief was denied. At the hearing, counsel for the defendant Department of Education asserted that if the lawsuit is successful, districts can recover the distributed funds by withholding such amounts from FEFP distributions.

Notice is hereby provided that in the event the relevant provision of Florida Statute is found unconstitutional, the School District of Lee County will demand the return of the referenced capital outlay funds distributed to Oasis Elementary School. If the funds are not promptly returned, the amount will be withheld from future FEFP distributions. Please take this notice into consideration when planning use of the distributed funds.

Sincerely,

J.F. "Jeff" McCullers, Ed.D



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JANE E. KUCKEL, PhD
DISTRICT 6
GREGORY K. ADKINS, Ed. D.
SUPERINTENDENT
KEITH B. MARTIN, ESQ.
BOARD ATTORNEY

February 8, 2018

Mr. Robert Zivkovic
3519 Oasis Boulevard
Cape Coral, Florida 33914

Dear Mr. Zivkovic:

On January 31, 2018, charter school capital outlay funds were distributed to Oasis Middle School by the Lee County School District as required by Section 1013.62(3)c., Florida Statutes. This provision of statute was enacted through adoption of House Bill 7069 at the 2017 legislative session and signed into law by Governor Scott.

The Lee County School District believes this provision of the statute violates the School Board's constitutional authority to control, operate, and supervise all public schools in the District. Litigation challenging the bill is pending in Leon County Circuit Court. The District petitioned the court seeking preliminary relief from the obligation to distribute funds on February 1. This relief was denied. At the hearing, counsel for the defendant Department of Education asserted that if the lawsuit is successful, districts can recover the distributed funds by withholding such amounts from FEFP distributions.

Notice is hereby provided that in the event the relevant provision of Florida Statute is found unconstitutional, the School District of Lee County will demand the return of the referenced capital outlay funds distributed to Oasis Middle School. If the funds are not promptly returned, the amount will be withheld from future FEFP distributions. Please take this notice into consideration when planning use of the distributed funds.

Sincerely,

J.F. "Jeff" McCullers, Ed.D



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SUPERINTENDENT

KEITH B. MARTIN, ESQ.
BOARD ATTORNEY

February 8, 2018

Mr. Robert Zivkovic
3519 Oasis Boulevard
Cape Coral, Florida 33914

Dear Mr. Zivkovic:

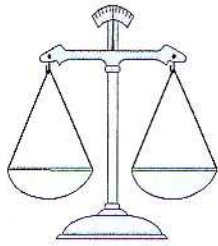
On January 31, 2018, charter school capital outlay funds were distributed to Oasis Charter High School by the Lee County School District as required by Section 1013.62(3)c., Florida Statutes. This provision of statute was enacted through adoption of House Bill 7069 at the 2017 legislative session and signed into law by Governor Scott.

The Lee County School District believes this provision of the statute violates the School Board's constitutional authority to control, operate, and supervise all public schools in the District. Litigation challenging the bill is pending in Leon County Circuit Court. The District petitioned the court seeking preliminary relief from the obligation to distribute funds on February 1. This relief was denied. At the hearing, counsel for the defendant Department of Education asserted that if the lawsuit is successful, districts can recover the distributed funds by withholding such amounts from FEFP distributions.

Notice is hereby provided that in the event the relevant provision of Florida Statute is found unconstitutional, the School District of Lee County will demand the return of the referenced capital outlay funds distributed to Oasis Charter High School. If the funds are not promptly returned, the amount will be withheld from future FEFP distributions. Please take this notice into consideration when planning use of the distributed funds.

Sincerely,

J.F. "Jeff" McCullers, Ed.D



CITY ATTORNEY'S OFFICE MEMORANDUM

TO: Cape Coral Charter School Board Members

FROM: Dolores Menendez, City Attorney

DATE: October 13, 2020

SUBJECT: HB 7069 Contested Monies

As the Board is aware, the Charter School Authority has been holding the monies that were received as a result of House Bill 7069. We have been holding it pending the resolution of litigation filed by various county school boards.

The Supreme Court has declined to accept jurisdiction in the case. Therefore, it appears that the obstacle to the Charter School Authority utilizing the funds has been removed.

Unless there is an objection from the Charter School Governing Board, the City Attorney's Office will work together with the Superintendent to notify the Lee County School Board of its intention to begin utilizing these funds. If any member of the Board objects, the matter will be scheduled for discussion at the November meeting.

Please be advised that, together with the Superintendent, we will continue to keep the Board apprised.

Item Number:	16.A.
Meeting Date:	12/8/2020
Item Type:	TIME AND DATE OF NEXT MEETING

AGENDA REQUEST FORM
City Of Cape Coral Charter School
Authority

TITLE:

The Next Regular Governing Board Meeting will be held on Tuesday, January 12, 2021 at 5:30p.m. in Cape Coral City Council Chambers, 1015 Cultural Park Blvd., Cape Coral, FL 33990

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION: