



Baker County Public Schools

Sherrie Raulerson, Superintendent of Schools

270 South Boulevard East, Macclenny, Florida 32063

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January 19, 2024

Sherrie Raulerson, Superintendent
Baker County School District
270 South Boulevard East
Macclenny, FL 32063

Dear Superintendent Raulerson:

We are requesting that you call for a public hearing and seek School Board approval for the following Board Policies at the February 20th District School Board Meeting.

- 3.06+ Safe and Secure Schools
- 3.13 School Volunteers
- 3.225*+ Internet Safety
- 4.27 Operation of Unmanned Aerial Vehicles (Drones)
- 5.13* Zero Tolerance for School Related Crimes
- 5.19*+ Student Records
- 5.40+ Children of Military Families
- 6.216 Deferred Retirement Option Program ("DROP")
- 6.39* Report of Misconduct
- 7.40*+ Online Educational Services Agreements/Contracts
- 8.04* Emergency Evacuation Drills
- 8.32 Smoking and Tobacco Free Environment

Thank you for your assistance.

Sincerely,

Allen Murphy
Associate Superintendent of Human Resources

"Preparing individuals to be lifelong learners, self-sufficient, and responsible citizens of good character"

DISTRICT SCHOOL BOARD MEMBERS

Tiffany McInarnay, District 1 🐾 Jack Baker Jr., District 2 🐾 Paula T. Barton, District 3 🐾 Mandi Canaday, District 4 🐾 Amanda Hodges, District 5

AN EQUAL ACCESS/EQUAL OPPORTUNITY INSTITUTION

NOTICE OF PROPOSED RULE

THE SCHOOL BOARD OF BAKER COUNTY, FLORIDA

A HEARING REGARDING THE BELOW RULE WILL BE HELD AT THE FOLLOWING DATE, TIME, AND PLACE:

DATE AND TIME: February 20, 2024 at 5 p.m.

LOCATION: Legacy Elementary School, 1 Lion's Den Drive, Macclenny, FL 32063

POLICY NUMBER: 3.06+

POLICY TITLE: Safe and Secure Schools

PURPOSE AND EFFECT: The purpose of this policy addresses the Safe and Secure Schools. The policy revisions are to reflect the change from Threat Assessment to Threat Management and a new model and drills.

SUMMARY: This policy is to provide a safe, secure and orderly learning environment in all schools and at all sponsored activities for students, school personnel, and other persons.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The School Board has determined that this policy will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the policy. A statement of estimated regulatory costs ("SERC") has not been prepared by the School Board.

The School Board has determined that the proposed policy is not expected to require legislative ratification based on no SERC being required at this time by F.S. 120.54 or F.S. 120.541. In the event a SERC becomes required, the School Board will promptly prepare one.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 1001.41, 1001.42, F.S.

LAWS IMPLEMENTED: 316.614, 1001.43, 1001.51, 1006.062, 1006.07, 1006.145, 006.1493, 1006.21, 1013.13, F.S.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: For information regarding the proposed rule, how to present evidence and argument as to the proposed rule, and how to obtain a copy (at no charge) of the proposed rule, please contact: Shirley Crawford

at shirley.crawford@bakerk12.org, or 904-259-0428. Any request to present evidence and argument must be received within twenty-one (21) days after the date of this notice.

DATE AND PLACE OF THE NOTICE OF RULE DEVELOPMENT: Noticed on December 13th and 20th, 2023, in the Baker County Press and on the web at www.bakerk12.org.

THE FULL TEXT OF THE PROPOSED POLICY IS: For a full text of policy, please contact Shirley Crawford at shirley.crawford@bakerk12.org, or 904-259-0428.

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SAFE AND SECURE SCHOOLS

3.060+

I. Introduction

The Baker County District School Board has as its first obligation to provide a safe, secure and orderly learning environment in all schools and at all sponsored activities for students, school personnel, and other persons.

II. Orderly Environment

An orderly environment can only be achieved by developing procedures to control students, personnel, and other persons on school property and while attending School Board or school sponsored events or activities. All procedures shall reflect the following policy provisions:

- A. No person other than a student and employee of a school site shall be on a school campus during school hours unless they are in compliance with Policy 9.07 (Visitors).
- B. A student who is suspended or expelled is not in good standing and is not permitted on the school campus, school grounds, or at a school sponsored activity.
- C. Any person on a school campus or school grounds not in accordance with this policy is hereby declared to be a trespasser and shall be asked to leave immediately by any staff member. Each principal shall keep a log of such incidents, which shall provide the name of the person asked to leave and other pertinent information. If said person shall again be seen upon the school campus or school grounds, any staff member shall immediately notify the principal or appropriate local law enforcement officials without further warning.
- D. Individuals who enter School Board property, activity, or School Board meeting without a legitimate reason and create a disturbance or refuse to leave the property or activity when asked by the board chairperson, Superintendent/designee, principal or person in charge are subject to criminal penalty as provided in Florida Statutes. The person in charge shall contact appropriate law enforcement officials in cases of disruptive activity or refusal to leave the school property or activity and take appropriate actions to have the offender punished as prescribed by law. The Superintendent shall be notified immediately of any such action at schools or school activities.
- E. No person except law enforcement, security officers, and school guardians certified by the Baker County Sheriff may have in his/her possession any weapon, illegal substance, or dangerous substance while on school property or at school events.

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- III. The following emergency response agency(ies) will notify the District in the event of an emergency:

Emergency Response Agency	Type of Emergency
Baker County Sheriff's Department	Community Wide Threats
National Weather Service (NOAA)	School Site Threats
Emergency Operations Center (EOC)	Weather Events

- IV. Safety, Security and – Emergency Plans

- A. The Superintendent shall develop a *DISTRICT CRISIS MANAGEMENT PLAN* with input from representatives of the local law enforcement agencies, the local Fire Marshall(s), representative(s) from emergency medical services; building administrators, representative(s) from the local emergency management agency, School Resource Officer(s) and/or representative(s) of the Baker County Health Department.
- B. The School Board shall approve the *DISTRICT CRISIS MANAGEMENT PLAN* annually and copies shall be maintained in the District office and at each school. The plan shall be pursuant to Florida Statutes and shall be comprehensive for all schools, school district facilities and all extracurricular activities. The plan shall include procedures that are State and Federally required, nationally recognized best practice, and researched-based interventions. After School Board approval, the *DISTRICT CRISIS MANAGEMENT PLAN* shall be made a part of this rule.
- C. As required by state law, the Superintendent shall require the use of the Safe School Assessment Survey based on the School Safety and Security Best Practices Indicators created by FL DOE Safe School Assessment Tool (FSSAT) to conduct a self-assessment of the District's current safety and security practices.
- D. Upon completion of these self-assessments, the Superintendent shall convene a safety and security review meeting for the purpose of (a) reviewing the current *DISTRICT CRISIS MANAGEMENT PLAN* and the results of the self-assessment; (b) identifying necessary modifications to the plan; (c) identifying additional necessary training for staff and students; and (d) discussing any other related matters deemed necessary by the meeting participants.

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- E. The Superintendent shall present the findings of the safety and security review meeting to the Board for review and approval appropriate school safety, emergency management and preparedness plans. The Superintendent shall make any necessary recommendations to the Board that identify strategies and activities that the Board should incorporate into the *DISTRICT CRISIS MANAGEMENT PLAN* and/or implement in order to improve school safety and security. The *DISTRICT CRISIS MANAGEMENT PLAN* is, however, confidential and is not subject to review or release as a public record.
- F. The Superintendent shall report the self-assessment results and any action taken by the Board to review the *DISTRICT CRISIS MANAGEMENT PLAN* to the Commissioner of Education within thirty (30) days after the Board meeting.
- G. Emergency management and preparedness plans shall include notification procedures for weapon use and active assailant/hostage situations, hazardous materials and toxic chemical spills, weather emergencies, and exposure resulting from a manmade emergency.
- H. Emergency management and preparedness procedures for active assailant situations shall engage the participation of the district school safety specialist, threat assessment team members, faculty, staff and students for each school and be conducted by the law enforcement agency or agencies designated as first responders to the school's campus.
 - 1. Accommodations for drills conducted at exceptional student education centers may be provided.
- I. Each school shall develop and maintain an up-to-date plan based upon the uniform guidelines and including the provisions of Florida law, State Board of Education rules, and other applicable regulations.
- J. Copies of school plans shall be provided to county and city law enforcement agencies, fire departments, and emergency preparedness officials.

V. Threat ~~Assessment~~ Management

- A. The primary purpose of a threat ~~assessment~~ management is to identify individuals exhibiting threatening or other concerning behavior, assess the risk of harm, and coordinate appropriate interventions and services for such individuals. ~~minimize the risk of targeted violence at school.~~ The Board's threat ~~assessment~~ management process is a systematic, fact-based method designed to identify, using threat assessment protocols, whether behaviors or communications constitute a concern for violence or harm to another person. ~~designed to be consistent with the process set forth in the joint U.S. Secret Service and U.S. Department of Education publication. Florida Harm Prevention and Threat Assessment Management Model is designed to identify, assess, manage, and monitor threats to schools, school staff and students. in Schools: a Guide to Managing Threatening Situations and to creating Safe School Climates for identifying, assessing, and managing students who may pose a threat.~~ The goal of the threat ~~assessment~~ management process is

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to prevent violence or harm to members of the school community. ~~take appropriate preventative or corrective measures to maintain a safe school environment, protect and support potential victims, and provide assistance, as appropriate, to the student being assessed.~~ The threat ~~assessment~~ management process uses a methodology that identifies students exhibiting threatening or other concerning behavior, gathers information to assess the risk of harm to themselves or others, and identifies appropriate interventions to prevent violence and promote successful outcomes. ~~is centered upon an analysis of the facts and evidence of behavior in a given situation. The appraisal of risk in a threat assessment focuses on actions, communications, and specific circumstances that might suggest that an individual intends to cause physical harm and is engaged in planning or preparing for that event.~~

- B. The Board authorizes the Superintendent to designate a Threat Management Coordinator; a District Threat Management Team and school-based ~~create building-level, trained threat assessment~~ management teams. Each team shall be headed by the principal and shall include a person with expertise in counseling (school/psychological), instructional personnel, and law enforcement (school resource officer) 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. All members of the threat ~~assessment~~ management team must be involved in the threat ~~assessment~~ management process and final decision making.
1. The District Threat Management Coordinator (DTMC) must complete all trainings specific to the Coordinator role and will oversee threat management at all public k-12 schools, including charter schools sponsored by the District. The DTMC must:
 - a. Ensure all district-level and school-level threat management team personnel are trained in threat management and on the Florida Model.
 - b. Serve as Chair of the District Threat Management Team and as the liaison to the Department of Education's Office of Safe Schools.
 - c. Ensure procedures are outlined for making referrals to mental health services for students exhibiting threatening or concerning behavior of self-harm or harm to others.
 - d. Assist School Based Threat Management Teams in the District.
 2. District Threat Management Team (DTMT) will receive referrals from the School Based Threat Management Teams, assess serious situations, and provide support to school-based teams, including charter schools in their district. The DTMT must include the DTMC, persons from school district administration and persons with expertise.
 3. School Based Threat Management Team (SBTMT) will be headed by a Chair and Vice-Chair who are appointed by the principal or designee.
 - a. The Chair serves as the point person for threat management at the school-level and is responsible for triaging reported threats or concerning

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behavior and communications to determine whether the matter should be summarily closed, or whether it should be reviewed by the full SBTMT.

- b. The team shall be comprised of a minimum of four (4) members, including a person with expertise in counseling (school/psychological), instructional personnel, school administration, and law enforcement (school resource officer).
- c. If none of the SBTMT members are familiar with the student of concern, the SBTMT Chair will assign a member of the school's staff who is familiar with the student to consult with and provide background information to the threat management team. Consulting personnel do not have to complete Florida Model training and may not participate in the decision-making process.
- d. All members of the threat management team must be involved in the threat management process and final decision making.
- e. Parental Notification
 - i. If the SBTMT Chair determines the concerning threat or behavior reported is a low level of concern and summarily closes the case, the Chair/designee must use reasonable efforts to notify the parent or guardian of the student threat or behavior.
 - ii. If the Chair does not summarily close the case and refers the matter to the SBTMT, reasonable efforts must be made to notify the student of concern's parent or guardian on the same day the SBTMT assigns the preliminary level of concern. The SBTMT must document all attempts to make contact with the parent or guardian using the contact information shared by the parent or guardian with the District.
 - iii. If the preliminary level of concern is high, the SBTMT chair or designee must notify the Superintendent or designee to ensure the requirements of F.S. Stat. 1006.07 are met.
 - iv. The SBTMT Chair must notify the student of concern's parent or guardian if the threat management process reveals information about their student's mental, emotional, or physical health or well-being or results in a change in related services or monitoring, including but not limited to implementation of a Student Support Management Plan (SSMP).
 - v. The SBTMT Chair or designee must provide a copy of the SSMP to the student of concern's parent or guardian upon the plan's finalization and anytime the SSMP is substantially revised.
 - vi. The SBTMT Chair must make a reasonable effort to notify the parent or guardian of the targeted student before the end of the

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school day that the report was received unless the Chair has determined the concern is unfounded.

4. The threat **assessment** management team will be responsible for the assessment of individuals whose behavior may pose a threat to the safety of school staff and/or students and coordinating resources and interventions for the individual.
5. If a student with a disability is reported to have made a threat to harm others and the student's intent is not clear, a referral will be made to the threat **assessment** management team for evaluation.
6. Upon a preliminary determination that a student poses a threat of violence or physical harm to him/herself or others, the threat **assessment** management team may obtain criminal history record information. The team must immediately report its determination to the Superintendent who must immediately attempt to notify the student's parent or legal guardian. A parent or guardian has the right to inspect and review the threat **assessment** management. The team will coordinate resources and interventions to engage behavioral and or mental health crisis resources when mental health or substance abuse crisis is suspected.
7. The threat **assessment** management team must plan for the implementation and monitoring of appropriate interventions to manage or mitigate the student's risk for engaging in violence and increasing the likelihood of positive outcomes.
8. Upon the student's transfer to a different school, the threat **assessment** management team must verify that any intervention service provided to the student remain in place until the threat **assessment** management team of the receiving school independently determines the need for intervention services. Threat **assessment** management teams must meet as often as needed to fulfill their duties of assessing and intervening with persons whose behavior may pose a threat to school staff or students, but no less than monthly. The teams must maintain documentation of all meetings, including meeting dates and times, team members in attendance, cases discussed and actions taken.
9. Through the DTMC, the District must ensure that all threat management teams in the District report to the DOE office on the team's activities during the previous year. The District School Safety Specialist must ensure all schools in the District timely report all required information. The report will contain all data or information required by Florida law.
10. The threat **assessment** management team (TMT) at each school, on a case by case basis, will determine the need to seek mental health intervention in the following areas:
 - School-based counseling
 - Community-based counseling
 - Area Mobile Response Team (MRT) intervention
 - Crisis Stabilization Unit (CSU)

The team will use the Comprehensive School Threat Assessment Guidelines (CSTAG) model and support from the TMT therapist when assessing mental health intervention needs.

Documentation will be maintained in the CSTAG forms associated with the student being served.

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11. Each threat ~~assessment~~ management team will maintain the copy of the CSTAG forms used for each TMT case. The documentation will also be housed in the student data system. The following items will be recorded for each monthly TMT meeting and documentation maintained by the principal or their designee:
 - Meeting dates and times
 - TMT members in attendance
 - Cases discussed
 - Action taken

VI. Safety – Procedures

- A. School alarms shall be monitored on a weekly basis and malfunctions shall be reported for immediate repair.
- B. A safety program shall be established consistent with the provisions of Policy 8.01. The emergency preparedness procedures will identify the individuals responsible for contacting the primary emergency response agency and the emergency response agency that is responsible for notifying the school district for each type of emergency.
- C. Emergency evacuation drills (fire, hurricane, tornado, active assailant/hostage situation, other natural disaster, and school bus) shall be held in compliance with state requirements and formulated in consultation with the appropriate public safety agencies. Each principal, site administrator or transportation official is responsible for:
 1. Developing and posting emergency evacuation routes and procedures;
 2. Assigning and training all staff members in specified responsibilities to ensure prompt, safe and orderly evacuation;
 3. Identifying and reporting hazardous areas requiring corrective measures; and
 4. Preparing and submitting within fifteen (15) calendar days ~~a written~~ an after-action report of each emergency ~~evacuation~~ drill and fire drill to the District school safety specialist for review. ~~office.~~
- D. In the event of an emergency, the Superintendent is authorized to dismiss early or close any or all schools. Except that the principal may dismiss the school when the Superintendent or designee cannot be contacted and an extreme emergency exists endangering the health, safety, or welfare of students. Any such actions shall be reported immediately to the Superintendent or designee along with a statement describing the reasons for the action. Such report shall be submitted to the School Board at the next regular meeting unless a special meeting is held relating to the

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emergency.

- E. Parents, as defined by law, have a right to timely notification of threats, unlawful acts, and significant emergencies that occur on school grounds, during school transportation or during school-sponsored activities pursuant to sections 1006.07(4) and (7), F.S.

- 1. Parents have a right to access school safety and discipline incidents as reported pursuant to section 1006.07(9), F.S.

VII. Safety – Violence Prevention

- A. The Superintendent shall develop a violence prevention plan for use by each school.
- B. Training in identification of potentially violent behaviors and the procedures to be implemented shall be provided to personnel of the schools.

VIII. Security

- A. The Superintendent shall establish and implement a Domestic Security Plan consistent with the requirements of the National Incident Management System (NIMS).
- B. The Superintendent shall develop and implement guidelines and procedures for reviewing each school's security provisions.
- C. The Superintendent shall designate an administrator or a law enforcement officer employed by the Baker County Sheriff's Office as the school safety specialist for the District. 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:
 - 1. On an annual basis the school safety specialist will review district and charter school policies and procedures for compliance with state law and rules and ensure the timely and accurate submission of the school environmental safety incident report (FSSAT) to the Department.
 - 2. The School Safety Specialist must provide recommendations to the superintendent and school board at a publicly noticed board meeting identifying strategies and activities that the Board should implement in order to address the findings to improve school safety and security.
 - 3. No later than November 1, the School Safety Specialist shall

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submit a district best-practice assessment in the FSSAT that includes the school board's action(s) to the school security risk assessment findings and recommendations provided to them.

4. Provide training and resources to students and staff in matters relating to mental health awareness and assistance; emergency procedures (including active assailant training), and school safety and security.
 5. The school safety specialist will identify and correct instances of non-compliance of state mandates regarding security procedures and policies at each school. This will be done annually through state and local assessments administered by the district school safety specialist. Monthly documentation will be sent by the school to the district safety specialist certifying the monthly pre/post planning for the implementation of the options-based active assailant drills held at each school.
 - a) Deficiencies relating to safe-school officer coverage must be resolved by the next school day.
 - b) Within 24 hours, the School Safety Specialist must notify the Office of Safe Schools of the deficiencies related to safe-school officer coverage and any instance of noncompliance that is determined to be an imminent threat to the health, safety and welfare of students or staff. The Office of Safe Schools shall be notified within three (3) days of any instance of noncompliance that is not corrected within 60 days.
 6. The School Safety Specialist shall notify the district's superintendent if there is a suspected deficiency of the district's and/or a school's noncompliance.
- D. A review of each school's security provisions shall be conducted annually by the principal with a written report submitted to the Superintendent or designee for submission to the Board for review.
- E. Each school's emergency plan shall include security provisions including emergency "lock down" procedures.
- F. Establishing policies and procedures for the prevention of violence on school grounds; including assessment of and intervention with individuals whose behavior poses a threat to the safety of the school community.
- G. Adhering to background screening procedures for all staff, volunteers and mentors.
- H. Security trailers may be located on school property.

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IX. Mental Health

- A. The School Board shall identify a mental health coordinator for the District. The mental health coordinator shall serve as the primary contact for the district's coordination, communication, and implementation of student mental health policies, procedures, responsibilities, and reporting.
- B. The mental health coordinator shall be responsible for:
 - 1. working with the Office of Safe Schools;
 - 2. maintaining records and reports regarding student mental health as it relates to school safety and the mental health assistance allocation;
 - 3. facilitating the implementation of school district mental health policies relating to the respective duties and responsibilities of the school district, the superintendent, and school principals;
 - 4. coordinating the staffing and training of threat assessment teams with the school safety specialist, and facilitating referrals, to mental health services, as appropriate for students and their families;
 - 5. coordinating with the school safety specialist, the training and resources for students and school district staff relating to youth mental health awareness and assistance; and
 - 6. annually review of the district's policies and procedures related to student mental health for compliance with state law and alignment with current best practices and making recommendations, as needed, for amending said policies and procedures to the superintendent and the district school board.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

**316.614, 1001.43, 1001.51,
1006.062, 1006.07, 1006.145, 1006.1493 1006.21, 1013.13, F.S.**

STATE BOARD OF EDUCATION RULE:

6A-1.0403, 6A-3.0171, 6A-1.0018

HISTORY:

**REVISION DATE(S): 04/05/04, 10/04, 01/02/07, 01/05/08, 04/01/19, 12/02/19, 11/17/20,
04/05/21, 02/22/22, 04/03/23**

ADOPTED:

FORMERLY: 2.22; 9.06

NOTICE OF PROPOSED RULE

THE SCHOOL BOARD OF BAKER COUNTY, FLORIDA

A HEARING REGARDING THE BELOW RULE WILL BE HELD AT THE FOLLOWING DATE, TIME, AND PLACE:

DATE AND TIME: February 20, 2024 at 5 p.m.

LOCATION: Legacy Elementary School, 1 Lion's Den Drive, Macclenny, FL 32063

POLICY NUMBER: 3.13

POLICY TITLE: School Volunteers

PURPOSE AND EFFECT: The purpose of this proposed policy revisions addresses School Volunteers.

SUMMARY: A school volunteer is any non-paid individual who gives his/her time to a school or school staff member while performing assigned duties. This policy revisions are to clarify best practice for level 2 screening of volunteers; Legislative updates HB 1121 on volunteer retirees only required if Board is creating a post-employment volunteer program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The School Board has determined that this policy will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the policy. A statement of estimated regulatory costs ("SERC") has not been prepared by the School Board.

The School Board has determined that the proposed policy is not expected to require legislative ratification based on no SERC being required at this time by F.S. 120.54 or F.S. 120.541. In the event a SERC becomes required, the School Board will promptly prepare one.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 1001.41; 1001.42, F.S.

LAWS IMPLEMENTED: 110.504(4), (5), 435.04, 440.02(15)(d)(6); 768.28; 943.04351, 1001.43, 1012.01, F.S.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: For information regarding the proposed rule, how to present evidence and argument as to the proposed rule, and how to obtain a copy (at no charge) of the proposed rule, please contact: Shirley Crawford

at shirley.crawford@bakerk12.org, or 904-259-0428. Any request to present evidence and argument must be received within twenty-one (21) days after the date of this notice.

DATE AND PLACE OF THE NOTICE OF RULE DEVELOPMENT: Noticed on December 13th and 20th, 2023, in the Baker County Press and on the web at www.bakerk12.org.

THE FULL TEXT OF THE PROPOSED POLICY IS: For a full text of policy, please contact Shirley Crawford at shirley.crawford@bakerk12.org, or 904-259-0428.

SCHOOL VOLUNTEERS

3.130

A school volunteer is any non-paid individual who gives his/her time to a school or school staff member while performing assigned duties. Duties assigned to school volunteers shall be consistent with Florida Statutes and State Board of Education rules.

- I. The school principal and each staff member who is assigned a school volunteer shall be responsible for assigning duties to school volunteers which are consistent with Florida Statutes, State Board of Education Rules, and School Board rules.
- II. The Superintendent shall issue directives concerning school volunteers as may be deemed necessary.
- III. School volunteers shall be subject to background checks that may include fingerprinting with the costs paid as determined by the School Board. If a school volunteer will be working with students unsupervised by school personnel or traveling overnight with students, the volunteer will need to comply with level two (2) screening requirements. A person who has been convicted of a crime that would disqualify him/her for employment in the District, shall not be accepted as a volunteer. ~~including a check against the Florida FDLE Sexual Predator/Offender website.~~
- IV. A school volunteer shall be accorded the same protection of Florida Statutes as accorded to certificated instructional personnel provided the school volunteer has been duly approved by the school principal as a school volunteer and has officially recorded his/her attendance in the school where he/she is rendering services under an administrative or instructional staff member.
- V. The District may establish a postemployment volunteer program allowing retirees to provide civic, charitable, and humanitarian services during their first 12 calendar months following retirement without causing the retiree to violate the requirement concerning termination of employment provided the program meets the following criteria:
 - A. Before the date of retirement, the District and retiree do not enter an agreement or understanding that the retiree will provide any service(s) for the District.
 - B. Neither the District nor a third party may provide any form of compensation, including cash equivalents, to the volunteer retiree for his/her volunteer service.
 - C. The District may not provide the retiree volunteer any employee benefits, including health or life insurance benefits, except as otherwise provided in law.

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- D. A volunteer may be provided equipment or a uniform if necessary to complete the task associated with the volunteer program.
- E. The volunteer is limited to providing no more than 20% of the number of hours the volunteer was expected to work per week before his/her date of retirement.
- F. There must be a clear distinction between the duties of a volunteer and the duties of an employee.
- G. The schedule of the volunteer, including the number of hours volunteered and type(s) of assignments agreed to by the volunteer, is controlled by the volunteer.
- H. The District and the retiree are required to maintain adequate records to document compliance with the criteria of the program.
- I. The records must be made available to the department or state board upon request.

STATUTORY AUTHORITY:

1001.41; 1001.42, F.S.

LAWS IMPLEMENTED:

110.504(4), (5), 435.04, 440.02(15)(d)(6);
768.28; 943.04351, 1001.43, 1012.01, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-1.070

HISTORY:

ADOPTED:
REVISION DATE(S): 11/94, 04/05/04, 11/07/05, 01/02/07, 06/01/09
FORMERLY: 3.55

NOTICE OF PROPOSED RULE

THE SCHOOL BOARD OF BAKER COUNTY, FLORIDA

A HEARING REGARDING THE BELOW RULE WILL BE HELD AT THE FOLLOWING DATE, TIME, AND PLACE:

DATE AND TIME: February 20, 2024 at 5 p.m.

LOCATION: Legacy Elementary School, 1 Lion's Den Drive, Macclenny, FL 32063

POLICY NUMBER: 3.225

POLICY TITLE: Internet Safety

PURPOSE AND EFFECT: The purpose of the proposed policy revisions addresses Internet Safety.

SUMMARY: The purpose of this proposed policy is to prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The School Board has determined that this policy will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the policy. A statement of estimated regulatory costs ("SERC") has not been prepared by the School Board.

The School Board has determined that the proposed policy is not expected to require legislative ratification based on no SERC being required at this time by F.S. 120.54 or F.S. 120.541. In the event a SERC becomes required, the School Board will promptly prepare one.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 1001.41; 1001.42, F.S.

LAWS IMPLEMENTED: 1001.02, 1003.02 F.S., Rule 6A-1.0957, 6A-1.0955

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: For information regarding the proposed rule, how to present evidence and argument as to the proposed rule, and how to obtain a copy (at no charge) of the proposed rule, please contact: Shirley Crawford at shirley.crawford@bakerc12.org, or 904-259-0428. Any request to present evidence and argument must be received within twenty-one (21) days after the date of this notice.

DATE AND PLACE OF THE NOTICE OF RULE DEVELOPMENT: Noticed on December 13th and 20th, 2023, in the Baker County Press and on the web at www.bakerk12.org.

THE FULL TEXT OF THE PROPOSED POLICY IS: For a full text of policy, please contact Shirley Crawford at shirley.crawford@bakerk12.org, or 904-259-0428.

CHAPTER 3.00 – SCHOOL ADMINISTRATION

INTERNET SAFETY

3.225*+

Introduction

- I. It is the policy of Baker County School District to:
 - A. prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications;
 - B. prevent unauthorized access and other unlawful online activity;
 - C. prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (d) comply with the Children's Internet Protection Act [Pub. L. No. 106-554 and 47 USC 254(h)].
 - D. Implement technology protection measures that will:
 1. filter or block access to material that is not appropriate for students based upon the subject matter and/or the age of the students served at each school;
 2. prevent hacking or unauthorized access by students to data or information that they should not have access to, or other unlawful online activities by students;
 3. prevent access to websites, web or mobile applications, or software that do not protect against the disclosure use or dissemination of students' personal information in accordance with Florida Administrative rules; and
 4. prohibit students from accessing social media platforms, except when expressly directed by a teacher for an educational purpose
 - E. Protect the safety and security of students when using email, chat rooms, and other forms of direct electronic communications
- II. Access to Inappropriate Material
 - A. Require the use of technology protection measures to filter or block access to material that is not appropriate for students, taking into consideration the subject matter and the age of the students served at each school;

- B. Protect the safety and security of students when using email, chat rooms, and other forms of direct electronic communications;
- C. Require the use of technology protection measures to prevent hacking or unauthorized access by students to data or information that they should not have access to, and to prohibit other unlawful online activities by students;
- D. Prevents access to websites, web or mobile applications, or software that do not protect against the disclosure, use, or dissemination of students' personal information in accordance with rule 6A-1.0955, F.A.C.; and
- E. Prohibits students from accessing social media platforms, except when expressly directed by a teacher for an educational purpose.
- F. TikTok. School districts and charter school governing boards must:
 - 1. Prohibit the use of TikTok, and any successor platforms, on all district- or school-owned devices, or on any device (including privately owned) connected to district- or school-provided internet; and
 - 2. Prohibit the use of TikTok, or any successor platforms, to be used to communicate or promote any school district, school, school-sponsored club, extracurricular organization, or athletic team.
- G. To the extent practical, technology protection measures (or "Internet filters") shall be used to block or filter the Internet, or other forms of electronic communications, access to inappropriate information.
- H. Specifically, as required by the Children's Internet Protection Act, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors.
- I. Subject to staff supervision, technology protection measures may be disabled for adults or, in the case of minors, minimized only for bona fide research or other lawful purposes.

III. Inappropriate Network Usage

- A. To the extent practical, steps shall be taken to promote the safety and security of users of the Baker County School District online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications.

- B. Specifically, as required by the Children's Internet Protection Act, prevention of inappropriate network usage includes:
1. unauthorized access, including so-called 'hacking,' and other unlawful activities; and
 2. unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

IV. Education, Supervision and Monitoring

- A. It shall be the responsibility of all members of the Baker County School District staff to educate, supervise and monitor appropriate usage of the online computer network and access to the Internet in accordance with this policy, the Children's Internet Protection Act, the Neighborhood Children's Internet Protection Act, and the Protecting Children in the 21st Century Act.
- B. Prior to requiring students to use online content, staff must confirm the content is not blocked by the student internet filter. Policies must provide a process for staff to request that blocked content or social media platforms to be reviewed and unblocked for educational purposes.
- C. Procedures for disabling or otherwise modifying any technology protection measures shall be the responsibility of the Executive Director of IT or designated representatives.
- D. Baker County School District will provide age-appropriate training for students who use the District's Internet facilities. The training provided will be designed to promote the District's commitment to:
1. The standards and acceptable use of Internet services as set forth in the School District's Internet Safety Policy;
 2. Student safety with regard to:
 - a. safety on the Internet;
 - b. appropriate behavior while on online, on social networking Web sites, and in chat rooms; and
 - c. cyberbullying awareness and response.
- E. In compliance with the E-rate requirements of the Children's Internet Protection Act ("CIPA") and following receipt of this training, the student will acknowledge that he/she received the training, understood it, and will follow the provisions of the district's acceptable use policies.

V. Adoption

- A. Internet Safety. The following policy guidelines are in place to protect students and visitors:
1. Prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications
 - a. To the extent practical, technology protection measures (or “Internet filters”) shall be used to block or filter Internet, or other forms of electronic communications, access to inappropriate information.
 - b. Specifically, as required by the Children’s Internet Protection Act, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors.
 - c. Subject to staff supervision, technology protection measures may be disabled for adults or, in the case of minors, minimized only for bona fide research or other lawful purposes.
 2. Prevent unauthorized access and other unlawful online activity
 - a. To the extent practical, steps shall be taken to promote the safety and security of users of the online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications.
 - b. Specifically, as required by the Children’s Internet Protection Act, prevention of inappropriate network usage includes:
 - (a) unauthorized access, including so-called ‘hacking,’ and other unlawful activities; and
 - (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors
 3. Prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors.
 4. Provide student education, supervision and monitoring
 - a. School staff will educate, supervise and monitor appropriate usage of the online computer network and access to the Internet in accordance with this policy, the Children’s Internet Protection Act, the Neighborhood Children’s Internet Protection Act, and the Protecting Children in the 21st Century Act.
 - b. Procedures for the disabling or otherwise modifying any

technology protection measures shall be the responsibility of the IT Department.

- c. Schools will provide age-appropriate training for students who use the Internet facilities.
- d. The training provided will be designed to promote the commitment to:
 - 1. The standards and acceptable use of Internet services as set forth in the Electronic Resources Responsible Use Policy (ESRUP) and Internet Safety Policy guidelines.
 - 2. Student safety with regard to:
 - (a) Safety on the Internet.
 - (b) Appropriate behavior while on online, on social networking Web sites, and in chat rooms.
 - (c) Cyberbullying awareness and response.
 - 3. Compliance with the E-rate requirements of the Children's Internet Protection Act ("CIPA").
 - 4. Following receipt of this training, the student will acknowledge that he/she received the training, understood it, and will follow the provisions of the District's acceptable use and Internet Safety policy guidelines.
 - 5. Comply with the Children's Internet Protection Act [Pub. L. No. 106-554 and 47 USC 254(h)].

B. Acceptable Use of the Digital Network of the Baker County School District The following are typical uses of the digital network:

- 1. Students' use of the District's digital network, internet service and other electronic resources is a privilege. As a condition of that privilege, students must comply with this policy and the Electronic Resources Responsible Use Policy (ESRUP).
- 2. The following general rules govern students' use of the District's digital network and technology resources:
 - a. The use must be in support with the District's educational goals and policies.
 - b. The use must comply with this policy and the Electronic Resources Responsible Use Policy (ESRUP).
 - c. The use must comply with the instructions of teachers and staff.

3. Require that students who access our network with district or personally owned electronic equipment sign the Electronic Resources Responsible Use Agreement which is to be kept on file at each school or district department. Annually each student will receive a copy of the ERRUA.
4. The use must comply with applicable laws and regulations, including
 - a. bullying and harassment and
 - b. copyright laws.

VI. Prohibited Activities

- A. The following are prohibited:
 1. Use that violates the Code of Conduct.
 2. Use of another individual's account or providing individual account information to another person.
 3. Use of the network for financial gain or for political or commercial activity.
- B. Attempting to send or sending anonymous messages of any kind or pretending to be someone else while sending a message.
- C. Attempting to access, modify, harm or destroy another user's data on the network.
- D. Harassing, insulting, ridiculing, attacking or defaming others via network communications.
- E. Attempting to subvert, defeat or disable installed web or network access filters, workstation security software, antivirus software or other features, network firewalls or other measures in place to secure the school district's technology resources.
- F. Users of unauthorized methods of access to Baker County School District technology resources such as modems and virtual private networks (VPN's).
- G. Use of remote access software or services to access remote computer networks, workstations or servers from the district system.
- H. Attempting to transmit damaging agents (e.g., computer viruses, Trojan horses, worms) or otherwise willfully damaging or disrupting any computer facility, software, or data.

- I. Attempting to interfere with the normal operation of computers, terminals, peripherals, or networks.
- J. Usage invades the privacy of others.
- K. Use or experimentation with software or hardware without written approval from the I.T. Department. Willfully publishing, storing, displaying, transmitting, playing, or editing material that is obscene, threatening, profane, prurient, sexually suggestive or otherwise inappropriate.
- L. Changing, deleting or modifying Internet browser settings including hiding or deleting Internet history or records of Internet use.
- M. Use of the system for an unauthorized purpose.
- N. Broadcasting a WiFi signal or operating a personal Hotspots from personal devices.
- O. Students shall not perform any kind of maintenance, repair, configuration or installation services on District owned devices.

VII. Enforcement

Students who violate these procedures may be denied access to Baker County School District computing or technology resources and may be subject to disciplinary action, including possible expulsion. Alleged violations will be subject to the Baker County School District disciplinary procedures.

VIII. No Expectation of Privacy

Students and visitors have no expectation of privacy in their use of the District system.

IX. Electronic Resources Responsible Use Agreement and Acknowledgement

As a condition of the privilege of using the District's system and technology resources, students/parents are required to annually acknowledge and agree to the District Electronic Resources Responsible Use Policy.

X. The Use and Operation of Personally Owned Technology Devices or Electronic Property Students and visitors who are authorized to use or operate personally owned devices must adhere to the following:

- A. District employees are not authorized to install software, perform any repair, configuration or maintenance on student-owned technology resources, that are brought to school property or present during school sponsored activities including both software and hardware resources.
- B. Students who are authorized to bring and/or use a personally owned technology devices are responsible for the safe keeping and proper use of their property. The District is in no way liable for any loss or damage for student-owned devices.
- C. Schools/Departments will not be responsible to hold or store student-owned devices.

XI. Additional Requirements

- A. Students or Visitors Requesting a Waiver for Personal Electronic Property or Bring Your Own Device (BYOD) : Students and visitors requesting to operate their personal computing device (notebook computer, touch tablet, etc.) within the district must obtain written approval and abide by the following additional requirements: Any computer that is connected to the District Digital Network via wired or wireless control must have functioning anti-virus software running with up-to-date virus definitions. Preferable antivirus software includes those by Norton/Symantec, McAfee, and Trend Micro. A Waiver for Personal Electronic Property form must be signed (denoting approval) by the school or district department administrator prior to operating any personal electronic property in Baker County School District schools or offices. Any student or visitor that operates any personal electronic property must also sign and acknowledge this Acceptable Use Policy.
- B. Additional Guidelines for Students Student users must adhere to the following additional guidelines:
 - 1. Students will follow teacher instructions regarding the use of the Baker County digital network.
 - 2. Students must observe and adhere to all regulations when using any digital device on school campus or during sponsored events including cell phone use as outlined in the Student Conduct Code.
 - 3. Students will comply with the Baker County Digital Citizenship Guidelines.
- C. Additional Rules Governing the Use of Video, Photo and/or Audio

Recording Devices at School: This section addresses the use of devices that can record audio, photo or video content in the school environment, particularly the classroom. Such recording devices include:

1. Smart Pen (i.e. Livescribe Echo), Personal audio recorder
2. Mobile/Smart Phone (i.e. iPhone), Personal Media Player/MP3/MiniDisc Player (i.e. iPod)
3. Mobile Tablet or Slate Device (i.e. iPad, Nexus), eReader (i.e. Nook, Kindle)
4. Mobile Computer System capable of recording video, photo, audio (i.e. notebook, netbook)
5. Digital or film-based Camera or video recorder
6. Digital or film-based Audio Recorder (i.e. Cassette player)

- D. Except at open house and public events as discussed below, students, parents and visitors are not allowed to videotape, photograph or make audio recordings while on school premises. All recording devices must be turned off at school. The purpose of this general rule is to foster an appropriate educational environment, prevent unwarranted disclosure of student images and information, and to comply with the requirements of the negotiated agreement with the Baker County Education Association.
- E. Open House and Public Events Exception. Open house and public events are events where school premises are opened to the public or a segment of the public at the direction of the principal. They include: open houses, sporting events, plays, musicals, contests, fairs, fund raisers, awards/recognitions and theatre performances. They also include off campus events such as graduations, contests, fund raisers and other school sponsored public events. In the exercise of judgment and discretion, a principal may also allow videotaping or photographing under other circumstances, provided that appropriate steps are taken to prevent unwarranted disclosure of student images contrary to their directory information optout election and to avoid disruption of the educational environment.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.02, 1003.02 F.S.
Rule 6A-1.0957, 6A-1.0955

HISTORY: ADOPTED:
REVISION DATE(S):

NOTICE OF PROPOSED RULE

THE SCHOOL BOARD OF BAKER COUNTY, FLORIDA

A HEARING REGARDING THE BELOW RULE WILL BE HELD AT THE FOLLOWING DATE, TIME, AND PLACE:

DATE AND TIME: February 20, 2024 at 5 p.m.

LOCATION: Legacy Elementary School, 1 Lion's Den Drive, Macclenny, FL 32063

POLICY NUMBER: 4.27

POLICY TITLE: Operation of Unmanned Aerial Vehicles (Drones)

PURPOSE AND EFFECT: The purpose of this policy addresses Operation of Unmanned Aerial Vehicles (Drones).

SUMMARY: The School Board is committed to providing all students and staff with technology-based learning opportunities. Unmanned remotely controlled aerial systems, i.e. drones, have value in an instructional setting. Use of Unmanned Aerial Vehicles (UAV'S/drones) is a privilege which comes with responsibilities that must be adhered to. Unmanned aircraft (drones) are defined as any powered, aerial vehicle that when operated outdoors is subject to Federal and/or State regulations. Staff and students shall only operate drones in accordance with this policy and applicable Federal guidelines.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The School Board has determined that this policy will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the policy. A statement of estimated regulatory costs ("SERC") has not been prepared by the School Board.

The School Board has determined that the proposed policy is not expected to require legislative ratification based on no SERC being required at this time by F.S. 120.54 or F.S. 120.541. In the event a SERC becomes required, the School Board will promptly prepare one.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 1001.41; 1001.42, F.S.

LAWS IMPLEMENTED: 330.41, 934.50 F.S., Title 49 U.S.C §§40101, 40102 and 40103, 14 C.F.R § 1.1, Federal Aviation Administration Advisory Circular AC 91-57A,

Public Law 112-95, Code of Federal Regulation Part 107 – Small Unmanned Aircraft Systems, Florida High School Athletic Association Guideline Handbook

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: For information regarding the proposed rule, how to present evidence and argument as to the proposed rule, and how to obtain a copy (at no charge) of the proposed rule, please contact: Shirley Crawford at shirley.crawford@bakerk12.org, or 904-259-0428. Any request to present evidence and argument must be received within twenty-one (21) days after the date of this notice.

DATE AND PLACE OF THE NOTICE OF RULE DEVELOPMENT: Noticed on December 13th and 20th, 2023, in the Baker County Press and on the web at www.bakerk12.org.

THE FULL TEXT OF THE PROPOSED POLICY IS: For a full text of policy, please contact Shirley Crawford at shirley.crawford@bakerk12.org, or 904-259-0428.

Operation of Unmanned Aerial Vehicles (Drones)

4.27

- I. The School Board is committed to providing all students and staff with technology-based learning opportunities. Unmanned remotely controlled aerial systems (“drone(s)”) have value in an instructional setting. Use of drones is a privilege which comes with responsibilities to which students, staff, and any other drone operators must adhere to.
- II. Drones are defined as any powered, aerial vehicle that do not carry a human operator, use aerodynamic forces to provide vehicle lift, can fly autonomously or be piloted remotely, can be expendable or recoverable, and can carry a lethal or nonlethal payload. Drones are subject to Federal and/or State regulations when operated outdoors.
- III. For purposes of this policy, “Drone operators” shall mean any student or staff member of the School Board operating a drone with the permission of the School Board, as well as any authorized vendor, contractor, or approved third party who is operating a drone with the permission of the School Board, pursuant to the requirements in section IV of this policy.
- IV. The Superintendent shall develop procedures by which approved vendors, contractors, or other authorized third parties may obtain permission from the School Board to operate drones on Board property or school grounds, and by which these vendors, contractors, or third parties shall be informed of this policy and its requirements and limitations. These procedures shall include, at a minimum, development of a form that all vendors, contractors, or third parties operating drones with the permission of the School Board shall execute. No vendor, contractor, or third party shall be permitted to operate drones on the property of the School Board or on school grounds prior to the execution of this permission form.
- V. Drone operators shall only operate drones in accordance with this policy and applicable Federal guidelines. Any inappropriate use must be reported to the Superintendent or his/her designee.
- VI. A teacher wishing to use/demonstrate any drone(s) in an instructional related setting must adhere to the guidelines of this policy and applicable Federal guidelines. A clear connection between drone technology and the approved course curriculum must exist.

CHAPTER 4.00 – CURRICULUM AND INSTRUCTION

VII. Drone Use Pre-Qualification Guidelines

- A. Any staff member who requests to use drones in their curriculum program must provide educational objective supporting documentation and obtain permission from their administrator.
- B. Any staff member who requests to use drones in an athletic program must meet the Florida High School Athletic Association (FHSAA) guidelines and seek permission from their administrator.
- C. Any staff member who has been granted permission to use drones in their curriculum or athletic program must obtain a Remote Pilot Certificate (FAA Part 107 Guidelines) to operate the drone.
- D. Any vendor, contractor, or third party seeking to use drones with the permission of the School Board shall demonstrate that he or she possesses a Remote Pilot Certificate (FAA Part 107 Guidelines) to operate the drone, prior to permission being given by the School Board to operate the drone on School Board property or on school grounds.
- E. All drones owned and operated by the District are to be registered with the Federal Aviation Administration (FAA).
- F. Only drones produced by approved drone manufacturers can be used for educational purposes and by the District for operations and maintenance of District property.

VIII. Operation Guidelines

- A. Drone operators shall follow the operating requirements as outlined in FAA Part 107 Guidelines for Small Unmanned Aircraft Systems when operating drones.
- B. When operating a drone, drone operators shall:
 - i. Always avoid manned aircraft;
 - ii. Never operate in a careless or reckless manner;
 - iii. Keep the drone within sight. There must be a visual observer always keeping the drone within unaided sight (for example, no binoculars);
 - iv. Not fly a drone over people;
 - v. Not have a pilot or visual observer for more than one drone operation at a time;
 - vi. Not operate the drone from a moving aircraft; and
 - vii. Not operate the drone from a moving vehicle.
- C. Drone operators shall not operate drones within five (5) miles of any airport without prior notification and acknowledgment from airport authorities. Written documentation for notification should be logged and kept on file by the notifying staff member or, if the drone operator who receives notification is not a staff

CHAPTER 4.00 – CURRICULUM AND INSTRUCTION

- member, this notification must in turn be given by the drone operator to a staff member for filing.
- D. Students operating drones on school grounds must: be enrolled in a program that includes the use of drones in its curriculum and have been trained in the use of drones by the teacher.
 - E. Students shall not operate drones without the direct supervision and presence of a staff member who holds a Remote Pilot Certificate.
 - F. All proper safety equipment must be used by any drone operator(s) and observer(s) to include eye and ear protection.
 - G. The use of any drone on school grounds must be approved in advance by the principal or a District administrator.
 - H. Drone operators must maintain safe control and line-of- sight at all times during operation and are prohibited from flying drones over playing fields, seating and spectator areas where and when people are present, as well as parking areas where and when people and/or vehicles are present. Broadcast from a remote location does not constitute line of sight.
 - I. Drone operators shall not operate drones above an altitude of 400 feet above ground level or within 400 feet of a structure as outlined in FAA Part 107 guidelines.
 - J. The maximum speed any drone may be operated at is 100 MPH (87 knots).
 - K. Any District- or teacher-provided drone operated on school grounds must be of relatively low power, be equipped with blade guards, weigh less than 0.55 lbs., and not be subject to FAA registration requirements. Staff and students shall not operate a drone with a weight of more than 0.55 lbs. If any approved vendor, contractor, or third party wishes to operate a drone with a weight of greater than 0.55 lbs, the vendor, contractor, or third party shall demonstrate compliance with FAA registration requirements prior to permission being given to operate the drone.
 - L. Drone operators shall not operate drones before sunrise or after sunset or in adverse weather conditions.
 - M. Drone operators shall not operate drones within proximity to or above individuals, crowds, or vehicles, to include parking lots, bleachers, sporting events, school-based activities or functions.

CHAPTER 4.00 – CURRICULUM AND INSTRUCTION

- N. Students are not permitted to bring drones to school.
- O. The drone can carry an external load if it is securely attached and does not adversely affect the flight characteristics or controllability of the drone.
- P. If used outside, and if the drone were to be flown/blown onto a building roof, off-campus location, or another restricted area, a staff member must report it immediately to school administration and appropriate support staff, i.e., custodial staff, or technical services if the drone is located on the roof. Students shall not be used to retrieve the drone under any such circumstances.
- Q. Any variance from this policy requires the prior written authorization from both the Director of Safety and Security and the Supervisor of Risk Management.

IX. Inappropriate Use

- A. Staff and students shall not operate drones under circumstances where profit would be generated.
- B. Drone operators shall not operate drones broadcasting or recording images of people or property where the reasonable expectation of privacy exists or over areas that are normally deemed private by social norms, such as restrooms, locker rooms, or residential areas.
- C. Drone operators shall not operate drones indoors, i.e. no flying in classrooms.

X. Drone Injuries or Incidents

- A. Any injuries or property damage resulting from District drone use shall immediately be reported to the drone operator's Direct supervisor and to the Risk Management Department. Further use of the drone in question will be suspended until an investigation of the events takes place and clearance for use is provided.
- B. Any scenarios not addressed within this policy shall be governed by the appropriate Federal Aviation Administration regulations.
- C. Any operation that results in serious injury, loss of consciousness, or property damage (to property other than the drone) of at least \$500 must be reported to the FAA no later than ten (10) days after any operation thereof.
- D. Violations of this policy may result in disciplinary action for staff and/or students

CHAPTER 4.00 – CURRICULUM AND INSTRUCTION

and/or revocation of drone use privileges.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 330.41, 934.50 F.S.
Title 49 U.S.C §§40101, 40102 and 40103
14 C.F.R § 1.1
Federal Aviation Administration Advisory Circular AC 91-57A
Public Law 112-95
Code of Federal Regulation Part 107 – Small Unmanned Aircraft Systems
Florida High School Athletic Association Guideline Handbook

HISTORY: ADOPTED: REVISION DATE(S): FORMERLY:

NOTICE OF PROPOSED RULE

THE SCHOOL BOARD OF BAKER COUNTY, FLORIDA

A HEARING REGARDING THE BELOW RULE WILL BE HELD AT THE FOLLOWING DATE, TIME, AND PLACE:

DATE AND TIME: February 20, 2024 at 5 p.m.

LOCATION: Legacy Elementary School, 1 Lion's Den Drive, Macclenny, FL 32063

POLICY NUMBER: 5.13

POLICY TITLE: Zero Tolerance for School Related Crimes

PURPOSE AND EFFECT: The purpose of this policy addresses Zero Tolerance for School Related Crimes.

SUMMARY: It is essential that schools be safe and orderly to provide environments that foster learning and high academic achievement. The District shall strive to protect students, staff, visitors and volunteers from harm and to protect victims of crime from further victimization. This policy applies to conduct on School District property, school or District provided transportation and at any school or District sponsored activity. This policy implements the zero tolerance policy as outlined in Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The School Board has determined that this policy will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the policy. A statement of estimated regulatory costs ("SERC") has not been prepared by the School Board.

The School Board has determined that the proposed policy is not expected to require legislative ratification based on no SERC being required at this time by F.S. 120.54 or F.S. 120.541. In the event a SERC becomes required, the School Board will promptly prepare one.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

LAWS IMPLEMENTED: 120.57(1), 775.08, 784.081, 790.162, 790.163, 985.04, 1001.42, 1001.43, 1001.54, 1003.31, 1006.07, 1006.08, 1006.09, 1006.13, 1006.135, 1006.14, 1012.28, F.S.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: For information regarding the proposed rule, how to present evidence and argument as to the proposed rule, and how to obtain a copy (at no charge) of the proposed rule, please contact: Shirley Crawford at shirley.crawford@bakerk12.org, or 904-259-0428. Any request to present evidence and argument must be received within twenty-one (21) days after the date of this notice.

DATE AND PLACE OF THE NOTICE OF RULE DEVELOPMENT: Noticed on December 13th and 20th, 2023, in the Baker County Press and on the web at www.bakerk12.org.

THE FULL TEXT OF THE PROPOSED POLICY IS: For a full text of policy, please contact Shirley Crawford at shirley.crawford@bakerk12.org, or 904-259-0428.

CHAPTER 5.00 – STUDENTS

ZERO TOLERANCE FOR SCHOOL RELATED CRIMES

5.130*

- I. It is essential that schools be safe and orderly to provide environments that foster learning and high academic achievement. The District shall strive to protect students, staff, visitors and volunteers from harm and to protect victims of crime from further victimization. In a disciplinary action, there is a rebuttable presumption that the actions of a student who intervened for the defense of others or in the student's own self-defense, was using only the amount of force necessary, to stop a violent act against a student, staff, or volunteer that was necessary to restore or maintain the safety of others. This policy applies to conduct on School District property, school or District provided transportation and at any school or District sponsored activity. This policy implements the zero tolerance policy as outlined in Florida Statutes.
- II. Acts that pose a threat to school safety are those acts that endanger the life or safety of a student, staff member or other person on campus or at a school or District sponsored activity. Such acts include but are not limited to
 - A. Aggravated battery;
 - B. Armed robbery;
 - C. Arson;
 - D. Battery or aggravated battery on a teacher or other school personnel;
 - E. Kidnapping or abduction;
 - F. Murder;
 - G. Manslaughter;
 - H. Possession, use or sale of a controlled substance;
 - I. Possession, use or sale of any explosive devise;
 - J. Possession, use or sale of any firearm or weapon;
 - K. Sexual battery.
- III. Acts that are considered petty misconduct may disrupt the educational process but do not endanger the life or safety of an individual. Such acts will not be reported to law enforcement. Students who commit acts of petty misconduct, as listed below, may be considered for school-based intervention programs. Such acts include but are not limited to

CHAPTER 5.00 – STUDENTS

- A. Cellular telephone violation;
 - B. Defiance of authority;
 - C. Disruption, minor;
 - D. Dress code violation;
 - E. Eating or drinking on the bus;
 - F. Forgery;
 - G. Horseplay;
 - H. Leaving campus without permission;
 - I. Lying or misrepresentation;
 - J. Profanity;
 - K. Vehicle parking violation.
- IV. The District shall establish agreements with the county sheriff's office and local police department(s) that provide for reporting conduct that threatens school safety and obtaining assistance from the appropriate law enforcement agency. Law enforcement consultation is not required for petty acts of misconduct which are not a threat to school safety.
- V. The District shall report to the appropriate law enforcement agency any act that poses a threat to the safety or welfare of students, staff and other persons on school property or at school events or is a serious violation of law. The following acts when committed on School District property or at a District activity shall be reported to the appropriate law enforcement agency:
- A. Alcohol violation;
 - B. Alcohol, sale or distribution;
 - C. Arson;
 - D. Battery;
 - E. Bomb or biochemical threat;
 - F. Breaking and entering or burglary;
 - G. Disruption of school, major;
 - H. Drug use, sale or distribution;
 - I. Explosives, possession or use;
 - J. Extortion;

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- K. False alarm;
 - L. Firearms violation;
 - M. Gang-related activity;
 - N. Hate crime;
 - O. Illegal organization, membership;
 - P. Robbery;
 - Q. Sexual battery;
 - R. Sexual harassment;
 - S. Sexual misconduct;
 - T. Sexual offense;
 - U. Stalking;
 - V. Trespassing;
 - W. Weapons violation;
 - X. Any felony as defined by Florida Statutes.
- VI. Consultation with law enforcement is required when a student commits more than one misdemeanor, to determine if the act should be reported. The school principal will recommend to law enforcement that all potential misdemeanor criminal charges committed by a student during school hours, or at a school sponsored activity, be considered for a juvenile civil citation, when appropriate. All student code of conduct violations that are a felony in the state of Florida, and weapons possession/use or threats by a student as defined by F.S. 790.162 or F.S. 790.163, must be addressed in consultation with local law enforcement. Law enforcement will be consulted relative to any student who demonstrates a pattern of behavior, based on previous acts or the severity of the acts, that would pose a threat to school safety.
- VII. The school principal shall notify all school personnel of their responsibility to report to the principal or his/her designee crimes or incidents posing a threat to school safety and ensure the incident is properly documented.
- VIII. Notice will be given to the student and parent of any student who has been deemed by the school's threat assessment team to constitute a serious substantive or very serious substantive threat, or has made a false report of a threat. This notice is to

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be given by the principal or their designee.

- IX. Students found to have committed one of the following offenses on school property, school sponsored transportation or during 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 be referred to the criminal justice or juvenile justice system:
 - A. Bringing a firearm or weapon as defined in Chapter 790, Florida Statutes, to school, to any school function, or onto any school-sponsored transportation or possessing a firearm at school.
 - B. Making a threat or false report as defined in Florida Statutes Sections 790.162 and 790.163 respectively, involving school or school personnel's property, school transportation or a school-sponsored activity.
 - C. Assault or battery on specified officials or employees in violation of Section 784.081, Florida Statutes.
 - D. Hazing as defined in 1006.135, Florida Statutes.
- X. When a student is formally charged with a felony or a delinquent act that would be a felony if committed by an adult, the Superintendent shall notify appropriate personnel including the principal, the transportation director, the student's classroom teachers, the student's bus driver and other school personnel who directly supervise the student.
- XI. The School Board may assign the student to a disciplinary program for the purpose of continuing educational services during the period of expulsion.
- XII. The Superintendent may consider the one (1) year expulsion requirement on a case-by-case basis and request the School Board to modify the requirement by assigning the student to a disciplinary program or second chance school if the request for modification is in writing and it is determined to be in the best interest of the student and the school system.
- XIII. If a student committing any of the offenses in this policy is a student with a disability, the School Board shall comply with the applicable State Board of Education rules.
- XIV. Any student found to have committed a violation of Section 784.081(1), (2) or (3), Assault or Battery on Specified Officials or Employees shall be expelled or placed in an alternative school setting or other program as appropriate. Upon being charged with the offense, the student shall be removed from the classroom immediately and placed in an alternative school setting pending disposition.
- XV. A student or his/her parent may request a review by the Superintendent of any

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disciplinary action taken by the District. Such request must be submitted in writing to the Superintendent within ten (10) days of the imposition of disciplinary action.

- XVI. The Baker County School Board will implement a student crime watch program to promote responsibility among students and improve school safety. The student crime watch program will allow students and the community to anonymously relay information concerning unsafe and potentially harmful, dangerous, violent, or criminal activities, or threat of these activities, to appropriate public safety agencies and school officials.
- XVII. Alternative education placement may be used for any student who has been deemed violent or disruptive by the principal or their designee.

LAW(S) IMPLEMENTED: 120.57(1), 775.08, 784.081, 790.162, 790.163, 985.04,
1001.42, 1001.43, 1001.54, 1003.31, 1006.07, 1006.08,
1006.09, 1006.13, 1006.135, 1006.14, 1012.28, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-6.03311

HISTORY: **ADOPTED:**

REVISION DATE(S): 04/05/04, 10/04, 11/07/05, 12/07/09,
9/20/10, 05/21/12, 04/01/19, 4/05/21,
02/22/22

FORMERLY:

NOTICE OF PROPOSED RULE

THE SCHOOL BOARD OF BAKER COUNTY, FLORIDA

A HEARING REGARDING THE BELOW RULE WILL BE HELD AT THE FOLLOWING DATE, TIME, AND PLACE:

DATE AND TIME: February 20, 2024 at 5 p.m.

LOCATION: Legacy Elementary School, 1 Lion's Den Drive, Macclenny, FL 32063

POLICY NUMBER: 5.19

POLICY TITLE: Student Records

PURPOSE AND EFFECT: The purpose of this policy addresses Student Records.

SUMMARY: This policy revisions are to reflect the Legislative changes; HB 1 and revising F.S. 1003.25 to transfer student records in 5 days instead of 3.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The School Board has determined that this policy will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the policy. A statement of estimated regulatory costs ("SERC") has not been prepared by the School Board.

The School Board has determined that the proposed policy is not expected to require legislative ratification based on no SERC being required at this time by F.S. 120.54 or F.S. 120.541. In the event a SERC becomes required, the School Board will promptly prepare one.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 1001.41; 1001.42, F.S.

LAWS IMPLEMENTED: 119.07(1), 119.071, 1001.43, 1001.52, 1002.22, 1002.221, 1002.222, 1002.72, 1003.25, 1008.386, 1014, et. Seq., F.S.; F.A.C. 6A-1.0955; 20 USC §1232 f, g, h, and i (34 CFR PART 99); P.L. 103-382 (34 CFR PAR 99); 20 USC 1400 et. seq., Individuals with Disabilities Act; Privacy Rights of Parents and Students – P.L. 90-247

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: For information regarding the proposed rule, how to present evidence and argument as to the proposed rule, and how to obtain a copy (at no charge) of the proposed rule, please contact: Shirley Crawford at shirley.crawford@bakerk12.org, or 904-259-0428. Any request to present evidence and argument must be received within twenty-one (21) days after the date of this notice.

DATE AND PLACE OF THE NOTICE OF RULE DEVELOPMENT: Noticed on December 13th and 20th, 2023, in the Baker County Press and on the web at www.bakerk12.org.

THE FULL TEXT OF THE PROPOSED POLICY IS: For a full text of policy, please contact Shirley Crawford at shirley.crawford@bakerk12.org, or 904-259-0428.

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STUDENT RECORDS

5.19*+

School Board Rules and procedures for maintaining student records shall be consistent with Florida Statutes, including the “Parents’ Bill of Rights”, State Board of Education rules, and federal laws relating to Family Educational Rights and Privacy Act (FERPA) and Privacy Rights of Parents and Students. The Superintendent shall be responsible for interpreting this rule and the school principal shall be responsible for controlling and supervising student records, following all rules on student records, and interpreting rules on student records to the school staff, students, and the community.

- I. Procedures on student records shall be approved by the School Board and contained in the *Student Educational Records Manual*. Included shall be provisions of the Federal requirements relating to the surveying of students, the collecting of information from students for marketing purposes, and certain nonemergency medical examinations.
- II. Definitions
 - A. Education records means records that are directly related to a student and that are maintained by the District or a party acting on behalf of the District, as defined in 20 USC Section 1232g(a)(4).
 - B. Eligible Student means a student who has reached 18 years of age or is attending a postsecondary institution, at any age.
 - C. Online educational service means computer software, mobile applications (apps), and web-based tools that students or parents are required to use and access through the internet and as part of a school activity or function.
 - D. Student means any individual who is or has been in attendance in a district school and regarding whom the District maintains education records.
 - E. Parent or parents, includes parents or guardians of students who are or have been in attendance at a school or institution.
 - F. Personally identifiable information or “PII” means information that can be used to distinguish or trace a student’s identity either directly or indirectly through linkages with other information, as defined in 34 CFR §99.3. PII includes, but is not limited to, direct identifiers (such as a student’s or other family member’s name), indirect identifiers (such as a student’s date of birth, place of birth, or mother’s maiden name), and other personal identifiers (such as a student’s social security number or Florida Education Identifier (FLEID) number. PII also includes information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

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- G. Therapeutic treatment plan means a plan that identifies the mental health diagnosis, or condition, the therapy or intervention goal(s), the type of school-based mental health intervention, and the school-based mental health services provider responsible for providing the mental health intervention or therapy.
- H. Therapy progress notes means notes maintained by a school-based mental health services provider that summarize the focus and progress toward treatment goals(s) of each therapy or intervention session.
- I. Third-party vendor or Third-party service provider means any entity, whether public or private, that provides services to the Board through a contract or agreement. The term does not include the Florida Department of Education or the Department's contractors and subcontractors.
- III. Parents, as defined by law, and students shall be notified annually of their rights regarding education records.
- IV. The District shall not collect or retain information including biometric information restricted by §1002.222, F.S.
- V. The District acknowledges important information relating to a minor child should not be withheld inadvertently or purposefully, from the parent, including information relating to the minor child's health, well-being, and education, while the minor child is in the custody of the school district.
- VI. Parents or eligible students have the right to access and review all school records related to the minor child including but not limited to, the right to access school safety and discipline incidents as reported pursuant to section 1006.07 (7) and (9), F.S.
- VII. The individual records of children enrolled in the Voluntary Prekindergarten Education Program shall be maintained as confidential records exempt from the public records law as required by Florida Statutes.
- VIII. A school may release a student's education records to partners to an interagency agreement among the Department of Juvenile Justice, the school, law enforcement authorities and other signatory agencies as allowed by law.
- IX. Directory Information. The District shall make available, upon request, certain information known as directory information without prior permission of the parents or 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

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educational agency or institution attended.

- A. An annual written notice shall be given to inform parents 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. 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.
- B. 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.
- C. In accordance with Federal law, the District shall release the names, addresses, District-assigned e-mail addresses (if available), and telephone listings of students in grades ten through twelve (10-12) to a recruiting officer for any branch of the United States Armed Forces or an institution of higher education who requests such information. Such data shall not be released if the eligible student or student's parents submit a written request not to release such information. The recruiting officer is to sign a form indicating that any information received by the recruiting officer shall be used solely for the purpose of informing students about military service and shall not be released to any person other than individuals within the recruiting services of the Armed Forces. The Superintendent is authorized to charge mailing fees for providing this information to a recruiting officer. A secondary school student or parent of the student may request that the student's name, address, District assigned e-mail address (if available), and telephone listing not be released without parental consent.
- X. Information contained in education records must be classified and retained in accordance with F.A.C. 6A-1.0955 and this policy as follows:
 - A. Category A: Information for each student which must be kept current while the student is enrolled and retained permanently in the manner prescribed by Section 1001.52(2), F.S.
 - B. Category B: Information which is subject to periodic review and elimination when the information is no longer useful in the manner prescribed by Section 1001.52(3), F.S.
- XI. Where records are opened to parents or eligible students, schools shall make available a member of the professional staff to interpret the record and shall provide copies upon request and payment of the current District copy rate, which shall not exceed the maximum rate for copies of public records as set forth in F.S. Chapter 119. The copy rate will include the actual reproduction costs and will not include the labor costs for retrieval. The copy rate may be waived by the District.
- XII. School officials shall provide requesting parents or eligible students an opportunity for a hearing to challenge the content of their child's or eligible student's school records, to ensure that the records are not inaccurate, misleading, or otherwise in violation of the

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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.

- A. Parent or eligible student 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.
- B. 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, notification of the denial and of the right to a formal hearing shall be made in writing to the parent or eligible student with a copy to the Superintendent or designee.
- C. Upon the request of a parent or eligible student, a formal hearing shall be held. The 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. The hearing officer may 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.
- D. The parents or eligible student, and officials of the school shall be afforded a full and fair opportunity to present evidence relevant to the issue(s) 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.
- E. If the decision of the hearing officer is that the records are not inaccurate, misleading, or otherwise in violation of privacy rights, the parent 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.

XIII. Student information that is confidential and exempt shall not be released except when authorized by §1002.221, F.S.

XIV. Disclosure of Personally Identifiable Information (PII)

A. Prior Written Consent

- 1. Prior written consent of the parent or eligible student shall be obtained prior to disclosing PII of the student other than directory information. The written consent shall include: signature of the parent 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 PII of the student will be made only on the condition that the party or parties to whom the information is disclosed shall not disclose the information

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to any other party without prior written consent of the parent or eligible student, as appropriate. PII of a student 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 or eligible student has the authority to grant permission for disclosure of PII of a student 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

1. PII or records of a student may be released to the following persons or organizations without the prior written consent of the eligible student or the student's parent:
 - a. 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.
 - b. Other school officials, including teachers within the educational institution or agency, who have a legitimate educational interest in the information contained in the records.
2. 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.
3. While the disclosure of PII without consent is allowed under the audit 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 PII.
4. Any entity receiving PII pursuant to a study, audit, evaluation or enforcement/compliance activity must comply with all FERPA regulations. Further, the entity must enter into a written agreement 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 PII 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.

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- XV. Student records may be disclosed to 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 parents are notified of the order or subpoena in advance of compliance therewith by the educational institution or agency.
- XVI. 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.
- XVII. Record of Disclosures. A record of any requests or disclosures of PII of a student shall be maintained except for disclosures to the parent 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.
- XVIII. Disclosures for Health or Safety Emergencies. In the event of a health or safety emergency, disclosure of PII of a student may be made by school officials. 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.
- XIX. Transfer of Student Records. District, upon receiving a written request for another school, public or private, within or out of State, shall transfer within ~~three (3)~~ five (5) school days the records of the student.
- A. The records to be transferred shall include:
1. Category A and B (including disciplinary records with respect to suspension and expulsion) records as defined by Rule 6A-1.0955 F.A.C.
 2. Verified reports of serious or recurrent behavior patterns, including substantive and transient threat ~~assessment~~ management evaluations and intervention services; and
 3. Psychological evaluations, including therapeutic treatment plans and therapy or progress notes created or maintained by School District or charter school staff, as appropriate.
 4. Non-threats as described in F.A.C. 6A-1.0955 must not be transferred

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with a student's educational record, unless one of the following conditions are met:

- a. The parent of the student who was the subject of a non-threat finding requests that the record be retained in the student's file; or
- b. The threat ~~assessment~~ management team has made a determination that the non-threat finding must be retained in order to ensure the continued safety of the school community or to ensure the well-being of the student. Such determination and reasoning for maintaining the record must be documented with the non-threat finding. When this determination is made, the threat ~~assessment~~ management team must re-evaluate the decision on an annual basis to determine if the record is no longer useful. The student's age and length of time since the original assessment must be considered in those evaluations.

XX. Reporting of student database information shall comply with these safeguards.

- A. Data reported to the Florida Department of Education shall not disclose a student's name or identity unless required by Florida Statutes;
- B. Data shall not be stored in a single file or released in such a manner that a complete student profile can be reported unless specified by Florida Statutes; and
- C. Data shall be protected from unauthorized use at all times

XXI. Social security numbers may be collected from students

- A. To be used as student identification numbers as allowed by §1008.386, F.S. until the Department of Education has issued a student identification number;
- B. To facilitate the processing of student scholarships, college admission and other applications; and
- C. For other purposes when consent of the parent or adult student is granted.

XXII. Required use of online educational services by students and parents. In order to protect a student's PII from potential misuse and in order to protect students from data mining or targeting for marketing or other commercial purposes, the Board requires the review and approval of any online educational service that students or their parents are required to use as part of a school activity (1) regardless of whether there is a written agreement governing student use, (2) whether or not the online educational

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service is free, and (3) even if the use of the online educational service is unique to specific classes or courses. The following requirements also apply to online educational services:

- A. The Superintendent is responsible for reviewing the online educational service's terms of service and privacy policy for compliance with State and Federal privacy laws, including FERPA and its implementing regulations, the Children's Online Privacy Protection Act (COPPA), 15 U.S.C. 6501-6506, and F.S. 1002.22;
 - B. The Superintendent is responsible for the review and approval of online educational services that will be required for students to use;
 - C. Parents and eligible students will be notified via phone, email, or text annually if they are required to use an online educational service that collects student PII;
 - D. If student PII will be collected by the online educational service, parents and eligible students will be provided notification regarding the information that will be collected, how it will be used, when and how it will be destroyed, and the terms of re-disclosure.
- XXIII. The Board will not utilize any online educational service that will share or sell a student's PII for commercial purposes without providing parents a means to either consent or disapprove.
- XXIV. If a student is required to use an online educational service, the Board will include on its website a description of the student PII that may be collected, how it will be used, when it will be destroyed and the terms of re-disclosure. The website will also include a link to the online educational service's terms of service and privacy policy, if publicly available.
- XXV. Contracts or agreements with third-party vendors. All contracts or agreements executed by or on behalf of the Board with a third-party vendor or a third-party service provider must protect the privacy of education records and student PII contained therein. Any agreement that provides for the disclosure or use of student PII must:
- A. require compliance with FERPA, its implementing regulations, and F.S. 1002.22;
 - B. where applicable, require compliance with COPPA, 15 U.S.C. 6501-6506, and its implementing regulations; ensure that only the student PII necessary for the service being provided will be disclosed to the third party;
 - C. prohibit disclosure or re-disclosure of student PII unless one of the conditions set forth in F.A.C. 6A 1.0955(11)(b) has been met.

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

1. the disclosure is authorized by FERPA and 34 CFR §99.31;
2. the disclosure is authorized by the Board's directory information provisions set forth in this policy and implemented in accordance with FERPA and 34 CFR §99.37; or
3. the disclosure is authorized by written consent of an eligible student or parent. Consent must include, at a minimum, an explanation of who the student PII would be disclosed to, how it would be used, and whether re-disclosure is permitted. Any re-disclosure must meet the requirements of F.A.C. Rule 6A-1.0955(11)(b) and this policy.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

119.07(1), 119.071, 1001.43, 1001.52, 1002.22,

1002.221, 1002.222, 1002.72, 1003.25, 1008.386,

1014, et. Seq., F.S.; F. A. C. 6A1.0955;

20 USC §1232 f, g, h, and i (34 CFR PART 99)

P.L. 103-382 (34 CFR PAR 99); 20 USC 1400 et. Seq.,

Individuals with Disabilities Act;

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

STATE BOARD OF EDUCATION RULE(S):

6A-1.0955

HISTORY:

ADOPTED:

**REVISION DATE(S): 04/05/04, 10/04, 11/07/05, 09/12/07, 09/20/10, 08/21/17, 06/15/2020,
04/05/21, 02/22/22, 11/06/23**

FORMERLY: 4.29

NOTICE OF PROPOSED RULE

THE SCHOOL BOARD OF BAKER COUNTY, FLORIDA

A HEARING REGARDING THE BELOW RULE WILL BE HELD AT THE FOLLOWING DATE, TIME, AND PLACE:

DATE AND TIME: February 20, 2024 at 5 p.m.

LOCATION: Legacy Elementary School, 1 Lion's Den Drive, Macclenny, FL 32063

POLICY NUMBER: 5.40

POLICY TITLE: Children of Military Families

PURPOSE AND EFFECT: The purpose of this policy addresses Children of Military Families.

SUMMARY: The District shall recognize the provisions of the Interstate Compact on Educational Opportunities for Military Children and shall address the educational transition issues faced by military families. This policy revisions are to reflect the Legislative change; HB 633.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The School Board has determined that this policy will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the policy. A statement of estimated regulatory costs ("SERC") has not been prepared by the School Board.

The School Board has determined that the proposed policy is not expected to require legislative ratification based on no SERC being required at this time by F.S. 120.54 or F.S. 120.541. In the event a SERC becomes required, the School Board will promptly prepare one.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 1001.41; 1001.42, F.S.

LAWS IMPLEMENTED: 1000.36, 1001.43, 1003.05, F.S.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: For information regarding the proposed rule, how to present evidence and argument as to the proposed rule, and how to obtain a copy (at no charge) of the proposed rule, please contact: Shirley Crawford at shirley.crawford@bakerk12.org, or 904-259-0428. Any request to present evidence and argument must be received within twenty-one (21) days after the date of this notice.

DATE AND PLACE OF THE NOTICE OF RULE DEVELOPMENT: Noticed on December 13th and 20th, 2023, in the Baker County Press and on the web at www.bakerk12.org.

THE FULL TEXT OF THE PROPOSED POLICY IS: For a full text of policy, please contact Shirley Crawford at shirley.crawford@bakerk12.org, or 904-259-0428.

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CHILDREN OF MILITARY FAMILIES

5.400+

- I. The District shall recognize the provisions of the *Interstate Compact on Educational Opportunities for Military Children* and shall address the educational transition issues faced by military families.
- II. Assistance to children of military families, as defined in the *Compact*, shall include but not be limited to
 - A. Enrollment and eligibility;
 - B. Educational records;
 - C. Placement;
 - D. Attendance; and
 - E. Graduation
- III. A student must be considered a resident for enrollment purposes and provided preferential treatment in the controlled open enrollment process when presented with an official military order advising that the parent is transferred or pending transfer to a military installation within the State. Dependent children of active duty military personnel meeting eligibility criteria for special academic programs offered through the schools must be enrolled in such program if the student's parent requests placement in the program and is transferred to the state during the school year.
- IV. The Superintendent shall develop procedures to assist students who are children of military families and to remove barriers to educational success.

STATUTORY AUTHORITY:

1001.41; 1001.42, F.S.

LAWS IMPLEMENTED:

1000.36, 1001.43, 1003.05, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S): 11/17/2020
FORMERLY: NEW 05/21/12**

Revised:

Brd. Approved: 05/21/12

NOTICE OF PROPOSED RULE

THE SCHOOL BOARD OF BAKER COUNTY, FLORIDA

A HEARING REGARDING THE BELOW RULE WILL BE HELD AT THE FOLLOWING DATE, TIME, AND PLACE:

DATE AND TIME: February 20, 2024 at 5 p.m.

LOCATION: Legacy Elementary School, 1 Lion's Den Drive, Macclenny, FL 32063

POLICY NUMBER: 6.216

POLICY TITLE: Deferred Retirement Option Program ("DROP")

PURPOSE AND EFFECT: The purpose of this policy addresses the Deferred Retirement Option Program ("DROP").

SUMMARY: All members of the Florida Retirement System are eligible for DROP. Members electing to participate in DROP must meet the eligibility and timeline requirements outlined in Florida Statutes. This policy revision is to reflect the Legislative Update; SB 7024.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The School Board has determined that this policy will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the policy. A statement of estimated regulatory costs ("SERC") has not been prepared by the School Board.

The School Board has determined that the proposed policy is not expected to require legislative ratification based on no SERC being required at this time by F.S. 120.54 or F.S. 120.541. In the event a SERC becomes required, the School Board will promptly prepare one.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAWS IMPLEMENTED: 121.091, 1001.43, F.S.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: For information regarding the proposed rule, how to present evidence and argument as to the proposed rule, and how to obtain a copy (at no charge) of the proposed rule, please contact: Shirley Crawford at shirley.crawford@bakerk12.org, or 904-259-0428. Any request to present evidence and argument must be received within twenty-one (21) days after the date of this notice.

DATE AND PLACE OF THE NOTICE OF RULE DEVELOPMENT: Noticed on December 13th and 20th, 2023, in the Baker County Press and on the web at www.bakerk12.org.

THE FULL TEXT OF THE PROPOSED POLICY IS: For a full text of policy, please contact Shirley Crawford at shirley.crawford@bakerk12.org, or 904-259-0428.

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DEFERRED RETIREMENT OPTION PROGRAM (“DROP”)

6.216

The Deferred Retirement Option Program (“DROP”) as defined in chapter 121, Florida Statutes, is an alternative method of deferred payment of retirement benefits for up to ~~sixty (60)~~ ninety-six (96) months after an eligible member of the Florida Retirement System reaches his/her normal retirement date but wishes to continue employment with a Florida Retirement System employer. In order to participate, the employee must submit a binding letter of resignation, establishing a deferred termination date. DROP will allow the participant to defer all retirement benefits payable during the DROP period. Upon termination of DROP, the participant will receive the DROP benefits and their regular retirement benefits under Chapter 121, Florida Statutes.

- I. Participation in DROP. All members of the Florida Retirement System are eligible for DROP. Members electing to participate in DROP must meet the eligibility and timeline requirements outlined in Florida Statute.
- II. ~~Certain K-12 instructional personnel may be permitted to extend~~ DROP participation may be extended beyond the initial 96 calendar-month period if the instructional and administrative personnel’s termination date is before the end of the school year. Instructional and administrative drop personnel may have DROP extended until the last day of the last calendar month of the school year in which their original DROP termination date occurred if their DROP termination date is other than the last day of the last calendar month of the school year. ~~for up to an additional 36 months upon authorization from the District and approval by the division.~~
- III. Statutorily defined instructional personnel in grades K-12, authorized by the school superintendent, may extend DROP participation for up to an additional 24 months beyond the 96-month period.
- IV. Benefits Payable
 - A. Sick Leave - Employees will be paid terminal pay for accumulated sick leave at retirement, or, if service is terminated by death, to his/her beneficiary. Upon election to participate in DROP, and based upon the employee established deferred termination date, previously accumulated sick leave shall be paid directly to the School Board approved IRS 401(A) plan:
 1. Deferred Termination Date: Payment Schedule
 - a) ~~0 through 12 months-~~
~~1 lump payment in the month following the last day worked~~
 - b) ~~13 through 24 months-~~
~~50% at the end of the first 12 months and final payment in the month following the last day worked.~~
 - c) ~~25 through 36 months-~~
~~33-1/3% at the end of each 12 months period and final payment in~~

CHAPTER 6.00 – PERSONNEL

~~the month following the last day worked.~~

~~d) 37 through 48 months-
25% at the end of each 12 months period and final payment in
the month following the last day worked.~~

~~e) 49 through 60 90 months-
20% at the end of each 12 months period and final payment in
the month following the last day worked.~~

- a) Year 1 20% of balance of terminal sick leave
- b) Year 2 25% of remaining balance of terminal sick leave
- c) Year 3 33% of remaining balance of terminal sick leave
- d) Years 4+ 50% of remaining balance of terminal sick leave
- e) Upon Separation 100% of remaining balance of terminal sick leave

2. Sick leave will be earned during DROP as prescribed by state statutes.

B. Annual Leave - Employees electing to participate in DROP shall be entitled to terminal pay for accrued annual leave as required by state law, Board policy and/or union contract. Upon election to participate in DROP the value of accrued annual leave in accordance with Board policy shall be calculated prior to the effective beginning date of DROP and deposited as soon as possible into the tax deferral plan adopted by the school board, and shall then be paid to the employee in accordance with the terms of such plan.

1. Annual leave earned prior to entering DROP which exceeds the maximum number of days of accumulated annual leave allowed by Board policy may be used during DROP; however, the employee shall not be entitled to compensation at the end of DROP for any unused portion of the accumulated leave.
2. Employees will earn annual leave during the DROP period as prescribed by Florida Statute, Board policy and/or union contract. Additional annual leave accumulated during DROP participation will not be paid to the employee or the School Board approved IRS 401 (A) plan at the end of DROP participation, except to the extent the employee has earned additional annual leave which combined with the original payment does not exceed the maximum number of days allowed by Board policy.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAWS IMPLEMENTED:

121.091, 1001.43, F.S.

HISTORY:

**ADOPTED: 04/05/04, 10/04
REVISION DATE(S): 09/08/09, 12/07/09, 04/03/23
FORMERLY: NEW**

NOTICE OF PROPOSED RULE

THE SCHOOL BOARD OF BAKER COUNTY, FLORIDA

A HEARING REGARDING THE BELOW RULE WILL BE HELD AT THE FOLLOWING DATE, TIME, AND PLACE:

DATE AND TIME: February 20, 2024 at 5 p.m.

LOCATION: Legacy Elementary School, 1 Lion's Den Drive, Macclenny, FL 32063

POLICY NUMBER: 6.39

POLICY TITLE: Report of Misconduct

PURPOSE AND EFFECT: The purpose of this policy addresses Report of Misconduct.

SUMMARY: This policy is to ensure the District shall adhere to all requirements related to employee misconduct that affects the health, safety or welfare of a student. The policy revisions are to reflect the Legislative change; F.L. 1012.797

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The School Board has determined that this policy will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the policy. A statement of estimated regulatory costs ("SERC") has not been prepared by the School Board.

The School Board has determined that the proposed policy is not expected to require legislative ratification based on no SERC being required at this time by F.S. 120.54 or F.S. 120.541. In the event a SERC becomes required, the School Board will promptly prepare one.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 1001.41, 1001.42, F.S.

LAWS IMPLEMENTED: 39.203, 112.313, 119.071, 768.095, 800.101, 1001.10, 1006.061, 1012.01, 1012.22, 1012.27, 1012.315, 1012.795, 1012.796, 1012.797, F.S.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: For information regarding the proposed rule, how to present evidence and argument as to the proposed rule, and how to obtain a copy (at no charge) of the proposed rule, please contact: Shirley Crawford at shirley.crawford@bakerk12.org, or 904-259-0428. Any request to present evidence and argument must be received within twenty-one (21) days after the date of this notice.

DATE AND PLACE OF THE NOTICE OF RULE DEVELOPMENT: Noticed on December 13th and 20th, 2023, in the Baker County Press and on the web at www.bakerk12.org.

THE FULL TEXT OF THE PROPOSED POLICY IS: For a full text of policy, please contact Shirley Crawford at shirley.crawford@bakerk12.org, or 904-259-0428.

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REPORT OF MISCONDUCT

6.390*

The School District of Baker County shall adhere to all requirements related to employee misconduct that affects the health, safety or welfare of a student.

I. Mandatory Reporting of Misconduct

- A. It is the duty of all employees to report to the Superintendent alleged misconduct by any School Board employee that affects the health, safety or welfare of a student that would be a violation of s. 800.101, or that would be a disqualifying offense under s. 1012.315, or any allegation of sexual misconduct with a student. Failure of an employee to report such misconduct shall result in disciplinary action. Further, an employee who knowingly or willfully fails to do so, or who knowingly or willfully prevents another person from doing so, commits a misdemeanor of the first degree. An employee who knowingly or willfully coerces or threatens another person with the intent to alter his or her testimony or written report regarding a violation of s. 800.101 commits a misdemeanor of the first degree.
- B. Educational support employees, instructional personnel and school administrators shall report alleged misconduct of other educational support employees, instructional personnel or school administrators who engage in or solicit sexual, romantic, or lewd conduct with a student.
- C. If the prohibited conduct occurs while employed by the district, the School Board and Superintendent must report the employees or personnel and the disqualifying circumstances to the department of education for inclusion on the disqualification list maintained by the department pursuant to section 1001.10(4)(b), F.S.
- D. Within 24 hours of being notified by law enforcement that an employee is arrested for a felony or a misdemeanor involving the abuse of a minor child or the sale or possession of a controlled substance, the school principal or designee shall notify parents of enrolled students who had direct contact with the employee and include, at a minimum, the name and specific charges against the employee.

II. Investigation

The Superintendent shall immediately investigate any allegation of misconduct by an employee that affects the health, safety or welfare of a student regardless of whether the person resigned or was terminated before the conclusion of the investigation. The Superintendent shall notify the department of the result of the investigation and whether the misconduct warranted termination, regardless of whether the person resigned or was terminated before the conclusion of the investigation.

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- A. An employee, who is alleged to have committed such misconduct, may be reassigned to a position not requiring direct contact with students pending the outcome of the investigation.
- B. Information related to the alleged misconduct shall be considered confidential until the investigation is concluded with a finding to proceed or not to proceed with disciplinary action or charges and the subject of the complaint has been notified of the finding.
- C. The Superintendent shall report alleged misconduct to the Department of Education as required by Florida Statutes. The Superintendent shall report alleged misconduct of educational support employees, instructional personnel or school administrator who engage in conduct that would be considered disqualifying pursuant to Section 1012.315, Florida Statutes or any allegation of sexual misconduct with a student. Failure to report such conduct to the department or law enforcement forfeits the Superintendent's salary for up to one year.
- D. The School District shall notify the parents of a student affected by an educator's violation of the district's Standards of Ethical Conduct. This notice must be provided to the parent within thirty (30) days of knowledge of the incident and inform the parent of:
 - 1. The nature of the misconduct,
 - 2. If the District reported the misconduct to the department in accordance with Section 1012.796, Florida Statutes,
 - 3. The sanctions imposed against the employee, if any, and
 - 4. The support the school district will make available to the student in response to the employee's misconduct.

III. Legally Sufficient Complaint

The Superintendent shall file any legally sufficient complaint with the Department of Education within thirty (30) days after the date the District became aware of the subject matter of the complaint. A complaint is considered to be legally sufficient if it contains ultimate facts that show that an instructional or administrative employee has committed a violation as provided in 1012.795, F.S. and defined by State Board of Education rule.

IV. Resignation or Retirement in Lieu of Termination

If the Superintendent determines that misconduct by an educational support employee, instructional staff member or an administrator who holds a certificate issued by the Florida Department of Education affects the health, safety, or welfare

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of a student and the misconduct warrants termination, the staff member may resign or be terminated and the Superintendent shall report the misconduct to the Department of Education as required.

V. Employment Reference

The Board, Superintendent, or any other representative of the School District shall not enter into a confidentiality agreement regarding terminated or dismissed educational support employees, instructional personnel or school administrators, or educational support, instructional personnel or administrators who resign in lieu of termination, based in whole or in part on misconduct that affects the health, safety, or welfare of a student, and may not provide an employment reference or discuss the performance of an employee with a prospective employer in an educational setting without disclosing the person's misconduct that affected the health, safety or welfare of a student. Any part of an agreement or contract that has the purpose or effect of concealing misconduct by educational support, instructional personnel or school administrators which affects the health, safety, or welfare of a student is void, is contrary to public policy, and may not be enforced.

VI. Notification

The policies and procedures for reporting alleged misconduct by employees that affects the health, safety or welfare of a student shall be posted in a prominent place at each school and on each school's website. The notice shall include the name of the person to whom the report is made and the consequences for misconduct.

VII. Protection from Liability

- A. Any individual, who reports in good faith, any act of child abuse, abandonment or neglect to the Department of Children and Family Services or any law enforcement agency shall be immune from any civil or criminal liability that might result from such action.
- B. An employer, who discloses information about a current or former employee to a prospective employer, at the employee's request or at the prospective employer's request, shall be immune from civil liability for such disclosure as provided by Florida Statute.

VIII. False or Incorrect Report

The Superintendent, a Board member or any District official shall not sign and/or transmit any report regarding employee misconduct to a state official that he/she knows to be false or incorrect. An individual, who knowingly makes a false or incorrect report, shall be subject to disciplinary action as prescribed by Florida Statute.

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STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAWS IMPLEMENTED: 39.203, 112.313, 119.071, 768.095, 800.101, 1001.10, 1006.061, 1012.01, 1012.22, 1012.27, 1012.315, 1012.795, 1012.796, F.S., 1012797, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-10.081

HISTORY: **ADOPTED:**
REVISION DATE(S): 04/01/19, 02/22/22, 04/03/23
FORMERLY: NEW

NOTICE OF PROPOSED RULE

THE SCHOOL BOARD OF BAKER COUNTY, FLORIDA

A HEARING REGARDING THE BELOW RULE WILL BE HELD AT THE FOLLOWING DATE, TIME, AND PLACE:

DATE AND TIME: February 20, 2024 at 5 p.m.

LOCATION: Legacy Elementary School, 1 Lion's Den Drive, Macclenny, FL 32063

POLICY NUMBER: 7.40

POLICY TITLE: Online Educational Services Agreements/Contracts

PURPOSE AND EFFECT: The purpose of this policy addresses the Online Educational Services Agreements/Contracts.

SUMMARY: The District is committed to maintaining the privacy and security of student data and teacher and principal data and will follow all applicable laws and regulations for the handling and storage of this data in the District and when disclosing or releasing it to others, including, but not limited to, third-party contractors.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The School Board has determined that this policy will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the policy. A statement of estimated regulatory costs ("SERC") has not been prepared by the School Board.

The School Board has determined that the proposed policy is not expected to require legislative ratification based on no SERC being required at this time by F.S. 120.54 or F.S. 120.541. In the event a SERC becomes required, the School Board will promptly prepare one.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 1001.41, 1001.42, 1001.43, F.S.

LAWS IMPLEMENTED: 1001.22; 1001.21; F.S. 20 U.S.C. s. 1232g(a)(4); 15 U.S.C. ss. 6501-6506 34 CFR §99.3; F. A.C. § 6A-1.0955

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: For information regarding the proposed rule, how to present evidence and argument as to the proposed

rule, and how to obtain a copy (at no charge) of the proposed rule, please contact: Shirley Crawford at shirley.crawford@bakerk12.org, or 904-259-0428. Any request to present evidence and argument must be received within twenty-one (21) days after the date of this notice.

DATE AND PLACE OF THE NOTICE OF RULE DEVELOPMENT: Noticed on December 13th and 20th, 2023, in the Baker County Press and on the web at www.bakerk12.org.

THE FULL TEXT OF THE PROPOSED POLICY IS: For a full text of policy, please contact Shirley Crawford at shirley.crawford@bakerk12.org, or 904-259-0428.

ONLINE EDUCATIONAL SERVICES AGREEMENTS/CONTRACTS

7.40*+

The District is committed to maintaining the privacy and security of student data and teacher and principal data and will follow all applicable laws and regulations for the handling and storage of this data in the District and when disclosing or releasing it to others, including, but not limited to, third-party contractors. The District adopts this policy to implement the requirements of state and federal privacy laws, including FERPA and its implementing regulations, the Children's Online Privacy Protection Act (COPPA), 15 U.S.C. §§6501-6506, 20 U.S.C. Section 1232g(a)(4) and personally identifiable information ("PII") as defined in 34 CFR §99.3, and Section 1002.22, F.S., F.A.C. §6A-1.09550(9) as well as to align the District's data privacy and security practices.

This procedure is required whether or not there is a written agreement governing student use, and whether or not the online educational service is free. This procedure is required even if the use of the online educational service is unique to specific classes or courses. Prior to entering into an online educational services agreement, the following review and approval procedure shall be followed.

1. Definitions:

- a. "Commercial or marketing purpose" means the sale of student data; or its use or disclosure for purposes of receiving remuneration, whether directly or indirectly; the use of student data for advertising purposes, or to develop, improve, or market products or services to students.
- b. "Contract or other written agreement" means a binding agreement between an educational agency and a third-party, which includes, but is not limited to, an agreement created in electronic form and signed with an electronic or digital signature or a click-wrap agreement that is used with software licenses, downloaded, and/or online applications and transactions for educational technologies and other technologies in which a user must agree to terms and conditions prior to using the product or service.
- c. "Disclose" or "disclosure" means to permit access to, or the release, transfer, or other communication of personally identifiable information by any means, including oral, written, or electronic, whether intended or unintended.
- d. "Education records" means an education record as defined in the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations, 20 USC Section 1232g and 34 CFR Part 99, respectively.

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- e. "Educational agency" means a school district, school, or charter school.
- f. "Eligible student" means a student who is eighteen years or older.
- g. "Online educational service" means computer software, mobile applications (apps), and web-based tools that students or parents are required to use and access through the internet and as part of a school activity or function. Examples include online services that students or parents use to access class readings, assignments, or videos, to view learning progression, or to complete assignments. This does not include online services that students or parents may use in their personal capacity or to online services that districts or schools may use to which students or parents do not have access, such as a district student information system.
- h. "Parent" means a parent, legal guardian, or person in parental relation to a student.
- i. "Personally identifiable information" or "PII" as applied to student data means information that can be used to distinguish or trace a student's identity either directly or indirectly through linkages with other information, as defined in 34 CFR §99.3. PII includes, but is not limited to direct identifiers (such as a student's or other family member's name), indirect identifiers (such as a student's date of birth, place of birth, or mother's maiden name), and other personal identifiers (such as a student's social security number or Florida Education Identifier (FLEID) number). PII also includes information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty. It also includes data as applied to teacher or principal data.
- j. "Principal" means a building principal subject to annual performance evaluation review
- k. "Release" has the same meaning as disclosure or disclose.
- l. "Student" means any person who is or has been in attendance in a district school and regarding whom the District maintains education records.
- m. "Student data" means personally identifiable information (PII) from the student records of an educational agency.
- n. "Teacher" means a teacher subject to annual performance evaluation review

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- o. "Teacher or principal data" means personally identifiable information from the records of an educational agency relating to the annual professional performance reviews of classroom teachers or principals that is confidential and not subject to release pursuant to 1012.31, F.S.
- p. "Third-party contractor/service provider/vendor" means any person or entity, other than an educational agency, whether public or private, that receives student data or teacher or principal data from an educational agency pursuant to a contract or other written agreement for purposes of providing services to the educational agency, including but not limited to data management or storage services, conducting studies for or on behalf of the educational agency, or audit or evaluation of publicly funded programs. This term will include an educational partnership organization that receives student and/or teacher or principal data from a school district to carry out its responsibilities and is not an educational agency, and a not-for-profit corporation or other nonprofit organization, other than an educational agency. The term does not include the Florida Department of Education or the Department's contractors and subcontractors.
- q. "Unauthorized disclosure" or "unauthorized release" means any disclosure or release not permitted by federal or state statute or regulation, any lawful contract or written agreement, or that does not respond to a lawful order of a court or tribunal or other lawful order.

2. Data Collection Transparency and Restrictions

As part of its commitment to maintaining the privacy and security of student data and teacher and principal data, the District will take steps to minimize its collection, processing, and transmission of PII. Additionally, the District will:

- a. Not sell PII nor use or disclose it for any marketing or commercial purpose or facilitate its use or disclosure by any other party for any marketing or commercial purpose or permit another party to do so.
- b. Ensure that it has provisions in its contracts with third-party contractors or in separate data sharing and confidentiality agreements that require the confidentiality of shared student data or teacher or principal data be maintained in accordance with law, regulation, and District policy.
- c. Any agreement for online educational services shall contain an explicit prohibition against sharing or selling a student's PII for commercial purposes without providing parents a means to either consent or disapprove.

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- d. This disclosure prohibition does not prevent the purchase, merger, or other type of acquisition of a third party provider or online educational service by another entity, provided that the successor entity continues to be subject to the provisions of this rule with respect to previously acquired PII.
- e. If student PII will be collected by the online educational service, the Superintendent shall establish procedures for notifying parents and eligible students of information that will be collected, how it will be used, when and how it will be destroyed, and the terms of re-disclosure, if any.

3. Data Protection and Terms of Service

Prior to submitting any online services agreement or contract to the School Board for approval, the Superintendent, or designee shall:

- a. Designate a person or persons responsible for the review and approval of online educational services that are required for students to use.
- b. Ensure the online educational service's terms of service and privacy comply with state and federal privacy laws, including FERPA and its implementing regulations, the Children's Online Privacy Protection Act (COPPA), 15 U.S.C. ss. 6501-6506, and Section 1002.22, F.S.
- c. Ensure the Online Educational Services Agreement contains an explicit prohibition against sharing or selling a student's PII for commercial purposes without providing parents a means to either consent or disapprove. (This disclosure prohibition does not prevent the purchase, merger, or other type of acquisition of a third party provider or online educational service by another entity, provided that the successor entity continues to be subject to the provisions of this policy with respect to previously acquired PII.
- d. Establish procedures for notifying parents and eligible students if student PII will be collected by the online educational service on how it will be collected, how it will be used, when and how it will be destroyed, and the terms of re-disclosure, if any.
- e. Ensure the service or application is inventoried and evaluated, and supports the schools' and districts broader mission and goals.

4. District Data Privacy

The District will protect the privacy of PII by:

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- a. Ensuring that every use and disclosure of PII by the District benefits students and the District by considering, among other criteria, whether the use and/or disclosure will:
 - b. Improve academic achievement;
 - c. Empower parents and students with information; and/or
 - d. Advance efficient and effective school operations.
 - e. Not including PII in public reports or other public documents.
5. The District affords all protections under FERPA and the Individuals with Disabilities Education Act and their implementing regulations to parents or eligible students, where applicable.

6. Click-Wrap Agreements

Periodically, District staff may wish to use software, applications, or other technologies in which the user must "click" a button or box to agree to certain online terms of service prior to using the software, application, or other technology. These are known as "click-wrap agreements" and are considered legally binding "contracts or other written agreements".

- a. District staff are prohibited from using software, applications, or other technologies pursuant to a click-wrap agreement in which the third-party contractor receives student data or teacher or principal data from the District unless they have received prior approval from the Superintendent, or designee.
- b. The District will develop and implement procedures requiring prior review and approval for staff use of any software, applications, or other technologies pursuant to click-wrap agreements.

7. Notice:

For any online educational service that a student is required to use, the district will provide notice on its website of the PII information that may be collected, how it will be used, when it will be destroyed and the terms of re-disclosure. This notice will include a link to the online educational service's terms of service and privacy policy, if publicly available.

8. Compliance:

Pursuant to this policy any online educational service provided through a Third-party vendor or Third-party service provider must be School Board approved. An employee's failure to follow this policy may result in disciplinary proceedings, up to and including termination.

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9. Parent/Guardian Notice:

- a. The use of any non-approved online educational software, web-based tools or mobile applications on district provided devices may result in the student's PII being disclosed and not protected.
- b. Students shall only use School Board approved online educational software, web-based tools or mobile applications on district provided devices. The use of any non-approved online educational software, web-based tools or mobile applications on district provided devices may result in disciplinary proceedings, up to and including expulsion.

STATUTORY AUTHORITY:

1001.41, 1001.42, 1001.43, F.S.

LAW(S) IMPLEMENTED:

~~1001.22; 1001.21;~~ 1002.21, 1002.22, F.S.

20 U.S.C. s. 1232g(a)(4); 15 U.S.C. ss. 6501-6506

34 CFR §99.3;

F. A.C. § 6A-1.0955

HISTORY:

ADOPTED:

REVISION DATE(S):

11/06/23

FORMERLY

NOTICE OF PROPOSED RULE

THE SCHOOL BOARD OF BAKER COUNTY, FLORIDA

A HEARING REGARDING THE BELOW RULE WILL BE HELD AT THE FOLLOWING DATE, TIME, AND PLACE:

DATE AND TIME: February 20, 2024 at 5 p.m.

LOCATION: Legacy Elementary School, 1 Lion's Den Drive, Macclenny, FL 32063

POLICY NUMBER: 8.04

POLICY TITLE: Emergency Evacuation Drills

PURPOSE AND EFFECT: The purpose of this policy addresses the Emergency Evacuation Drills.

SUMMARY: The schools shall conduct six (6) emergency drills every school year that are non-concurrent with fire drill. One emergency drill must take place within the first ten (10) days of the beginning of the year, and the remaining drills must take place at least every forty-five (45) days that school is in session. The proposed revisions are to support the Legislative and Rule changes; HB 543; rule 6A-1.0018.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The School Board has determined that this policy will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the policy. A statement of estimated regulatory costs ("SERC") has not been prepared by the School Board.

The School Board has determined that the proposed policy is not expected to require legislative ratification based on no SERC being required at this time by F.S. 120.54 or F.S. 120.541. In the event a SERC becomes required, the School Board will promptly prepare one.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 1001.41,

LAWS IMPLEMENTED: 404.056, 1001.43, 1013.12, F.S.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: For information regarding the proposed rule, how to present evidence and argument as to the proposed rule, and how to obtain a copy (at no charge) of the proposed rule, please contact: Shirley Crawford

at shirley.crawford@bakerk12.org, or 904-259-0428. Any request to present evidence and argument must be received within twenty-one (21) days after the date of this notice.

DATE AND PLACE OF THE NOTICE OF RULE DEVELOPMENT: Noticed on December 13th and 20th, 2023, in the Baker County Press and on the web at www.bakerk12.org.

THE FULL TEXT OF THE PROPOSED POLICY IS: For a full text of policy, please contact Shirley Crawford at shirley.crawford@bakerk12.org, or 904-259-0428.

CHAPTER 8.00 - AUXILIARY SERVICES

EMERGENCY EVACUATION DRILLS

8.04*

- I. The ~~Principal~~ schools shall ~~hold~~ conduct ~~at least two (2)~~ six (6) emergency ~~evacuation~~ drills every school year that are non-concurrent with fire drills. One emergency drill must take place within the first ten (10) days of the beginning of the school year, and the remaining drills must take place at least every forty-five (45) days that school is in session. Four (4) of the six (6) emergency drills must address active threats. The remaining two (2) drills must address other emergency events, such as severe weather, natural disasters, hazardous materials, or reunification. ~~during each semester with the first drill being held within the first thirty (30) days of the school term.~~ An after-action-written report of each emergency ~~evacuation~~ drill and fire drill shall be prepared and sent to the District school safety specialist for review. ~~Office.~~
- A. Accommodations for drills conducted at exceptional student education centers may be provided.
- II. The Principal and instructional and non-instructional school staff members shall develop a base emergency exit and cover plan for such emergencies as fire, bomb threats, foul weather and national emergencies, designed to familiarize the occupants with all means of exit and appropriate cover areas for emergencies. Special emergency exits that are not generally used during the normal occupancy of the building shall be carefully detailed and outlined. Diagrams shall be posted in each student occupied area clearly indicating fire exits and alternate evacuation routes.
- III. The Principal shall plan and assign to staff members the responsibility of the prompt and orderly evacuation of school building.
- IV. The Principal shall identify and report to the Superintendent hazardous areas requiring corrective measures. The Superintendent shall be responsible for informing the School Board of the Principal's report.
- V. The Superintendent shall make available to each Principal a copy of State Board of Education rules and any amendments adopted by the State Board of Education relating to emergency evacuation drills.

STATUTORY AUTHORITY:

1001.41, F.S.

LAWS IMPLEMENTED:

404.056; 1001.43; 1013.12; F.S.

STATE BOARD OF EDUCATION RULES:

6A-2.0010

Revised:
Board Approved: 01/1990

Page 1 of 2

BCSD 8.04*

CHAPTER 8.00 - AUXILIARY SERVICES

HISTORY:
REVISION DATE(S):

ADOPTED:
1/90; 04/05/04, 02/22/22
FORMERLY: 2.21

NOTICE OF PROPOSED RULE

THE SCHOOL BOARD OF BAKER COUNTY, FLORIDA

A HEARING REGARDING THE BELOW RULE WILL BE HELD AT THE FOLLOWING DATE, TIME, AND PLACE:

DATE AND TIME: February 20, 2024 at 5 p.m.

LOCATION: Legacy Elementary School, 1 Lion's Den Drive, Macclenny, FL 32063

POLICY NUMBER: 8.32

POLICY TITLE: Smoking and Tobacco Free Environment

PURPOSE AND EFFECT: The purpose of this policy addresses the Smoking and Tobacco Free Environment.

SUMMARY: The School Board is committed to providing students, staff and visitors with a smoking and tobacco-free environment. The use of tobacco products on school grounds, in school buildings, in School District vehicles and facilities, on school property or at school-related or school-sponsored events is detrimental to the health and safety of students, employees, and visitors. Tobacco advertising is prohibited on school grounds, in all school-sponsored publications, on District vehicles and buses, and at all school-sponsored events.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The School Board has determined that this policy will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the policy. A statement of estimated regulatory costs ("SERC") has not been prepared by the School Board.

The School Board has determined that the proposed policy is not expected to require legislative ratification based on no SERC being required at this time by F.S. 120.54 or F.S. 120.541. In the event a SERC becomes required, the School Board will promptly prepare one.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 120.81, 1001.32, 1001.41, 1001.42, F.S.

LAWS IMPLEMENTED: 386.201- 386.209, 1001.43, F.S.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: For information regarding the proposed rule, how to present evidence and argument as to the proposed

rule, and how to obtain a copy (at no charge) of the proposed rule, please contact: Shirley Crawford at shirley.crawford@bakerk12.org, or 904-259-0428. Any request to present evidence and argument must be received within twenty-one (21) days after the date of this notice.

DATE AND PLACE OF THE NOTICE OF RULE DEVELOPMENT: Noticed on December 13th and 20th, 2023, in the Baker County Press and on the web at www.bakerk12.org.

THE FULL TEXT OF THE PROPOSED POLICY IS: For a full text of policy, please contact Shirley Crawford at shirley.crawford@bakerk12.org, or 904-259-0428.

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SMOKING AND TOBACCO FREE ENVIRONMENT

8.32

I. Purpose

The School Board of Baker County (Board) recognizes that the use of tobacco products, including electronic smoking devices, is a health, safety, and environmental hazard for students, employees, parents, visitors, and school facilities. The School Board is committed to providing students, staff and visitors with a smoking and tobacco-free environment. The use of tobacco products on school grounds, in school buildings, in School District vehicles and facilities, on school property or at school-related or school-sponsored events is detrimental to the health and safety of students, employees, and visitors.

II. Applicability of Policy

This policy applies to students, employees, volunteers, parents, spectators, vendors, contractors, delivery persons, visitors and the public.

III. Definitions

For the purposes of this policy, the following definitions shall apply.

- A. “At any time” means twenty-four (24) hours a day, seven (7) days a week, 365 days a year.
- B. “Electronic smoking device” means any product containing or delivering nicotine, or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. “Electronic smoking device includes but is not limited to devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vape pens, similar devices, or under any other product name or descriptor. “Electronic smoking device” also includes any component part of a product, whether or not marketed or sold separately, including but not limited to, e-liquids, e-juice, cartridges, or pods.
- C. “School property” means all facilities and property, including land, whether owned, rented, or leased by the Board, and also includes all vehicles

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owned, leased, rented, contracted for, or controlled by the Board and used for transporting students, staff, or visitors.

- D. “Tobacco product” means any product containing, made, or derived from tobacco or that contains nicotine, whether synthetic or natural, that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including but not limited to: cigarettes, electronic smoking devices, cigars, little cigars, and other kinds and forms of tobacco.

IV. General Policy Statement

- A. Students are prohibited from possessing, using, consuming, displaying, or selling any tobacco products, tobacco-related devices, electronic smoking devices, imitation tobacco products, or lighters at any time on school property or at any school related or school-sponsored event.
- B. Administrators, staff, or visitors are prohibited from using, consuming, displaying, activating, or selling any tobacco products, tobacco-related devices, imitation tobacco products, or lighters at any time on school property or at any school related or school-sponsored events. This includes products or paraphernalia displaying industry brands.

V. Exception to this Policy

- A. A school principal may permit tobacco products to be included in counseling, educational, instructional or research activities in the school building; provided that, the activity is conducted or supervised by a District employee overseeing the instruction or research and the activity does not involve smoking, chewing, vaping, or otherwise ingesting the product.
- B. A person may use or possess a product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and if the product is being marketed and sold solely for such an approved purpose.

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VI. Notification of Policy and Implementation

It is the responsibility of District and School administrators to provide:

- A. Appropriate “No Tobacco” signage will be posted in a manner and location on all District property that adequately notifies employees, students, parents, visitors, and the public of this policy.
- B. Written notice to students and parents/guardians in student handbooks and orientations.
- C. Written notice in staff handbooks, in orientations and employee or staff trainings, and when offering employment.
- D. Reminder announcements of this policy at school and District events, as appropriate.
- E. Written notice of the prohibition as provided in this policy in contracts with outside groups who use the school buildings and other facilities.

VII. Tobacco Promotion Prohibited

- A. Tobacco advertising is prohibited on school grounds, in all school-sponsored publications, on District vehicles and buses, and at all school-sponsored events. It is a violation of this policy for any person to promote tobacco products on the school property or at any school related or school sponsored events via the display of images of tobacco products on gear, technology accessories, bags, clothing, any personal articles, signs, structures, vehicles, flyers, or any other material.
- B. [Acceptance of Tobacco Industry Gifts is Prohibited. The Policy prohibits the district from soliciting or accepting gifts, contributions, materials, or curricula from the tobacco industry.](#)

VIII. Educational and Cessation Programs for Students and Employees

- A. Prevention Education for Students. The administration will consult with the Safe Schools Department and other appropriate health organizations to identify and provide programs or opportunities for students to gain a greater understanding of the health hazards of tobacco use and the impact of tobacco use as it relates to providing a safe, orderly, clean, and inviting school environment. The administration will ensure that students in

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grades K-12 receive tobacco prevention education using sequential, age appropriate, current, accurate, evidenced based curricula and a skills-based approach (involving students in active "hands on" learning experiences).

- B. Cessation Support Programs for Students. The administration will consult with the Safe Schools Department, Florida Tobacco Prevention Program (www.tobaccopreventiontraining.org), Employee Wellness in Risk & Benefits Management, the American Lung Association and other appropriate health organizations to provide students and employees with information and access to support systems, tobacco use cessation programs, and services to encourage them to abstain from the use of tobacco products.
- C. Prevention and Cessation for Employees. Employees shall be advised as to the availability of related services available to them in the District's various Wellness programs in which they may choose to participate and as they may change from time to time.

IX. Enforcement

The success of this policy depends upon the thoughtfulness, consideration, and cooperation of the entire school community. All individuals on school premises, including students, staff, administrators, and visitors, are responsible for adhering to and enforcing this policy. Members of the school community are encouraged to communicate this policy with courtesy and diplomacy. Any person acting in violation of this policy will be informed or reminded of the policy and asked to comply.

- A. Students. Consequences for engaging in prohibited behavior shall be as provided in the Student Code of Conduct.
- B. Employees. Consequences for employees who violate the tobacco use policy will be in accordance with personnel policies or any relevant collective bargaining agreement.
- C. Family members, volunteers, or visitors. Family members, volunteers or visitors who violate the policy must immediately discontinue using the tobacco product or electronic cigarette, or leave the premises. Law enforcement officers may be contacted to escort the person off the premises if the person refuses to leave the school property when requested to do so by District personnel.

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STATUTORY AUTHORITY: 120.81, 1001.32, 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 386.201- 386.209, 1001.43, F.S.

HISTORY: **ADOPTED:**

REVISION DATE(S): 04/05/04, 05/21/12, 06/21/21, 11/06/23