

SECTION IV CURRICULUM AND INSTRUCTION

4.01 ATTENDANCE/TRUANCY

A. COMPULSORY SCHOOL ATTENDANCE LAW

1. All children who have attained the age of 6 years or who will have attained the age of 6 years by February 1 of any school year or who are older than 6 years of age but who have not attained the age of 16 years, except as otherwise provided, are required to attend school regularly during the entire school term. (F.S. 1003.21(1)(a) 1) In Clay County, a school term shall consist of 180 days.
2. Each parent/guardian of a child within the compulsory attendance age shall be responsible for such child's school attendance as required by law. (F.S. 1003.24)
3. A child who attains the age of 16 years during the school year is not subject to compulsory school attendance beyond the date upon which he or she attains that age if the child files a formal declaration of intent to terminate school enrollment with the district school board. The declaration of intent to withdraw from school, filed by students between the ages of 16 and 18 years, must acknowledge the impact of a student's withdrawal on future earning potential. The student's parent or guardian must be notified of the student's intent to withdraw from school and the *Student Declaration of Intent to Terminate School Enrollment* form must be signed by both student and parent. (Ref. F.S. Section 1003.21(1)(c))
4. Children within the compulsory attendance age limits who hold valid certificates of exemption, which have been issued by the Superintendent, shall be exempt from attending school. A certificate of exemption shall cease to be valid at the end of the school year in which it is issued. (F.S. 1003.21(3)). Parents/Guardians must submit in writing a request for a certificate of exemption to the Superintendent. Certificates of exemption may be issued at the discretion of the Superintendent.
5. The principal or designee must contact the parent/guardian to determine the reason for each unexcused absence or absence for which the reason is unknown. After 5 unexcused absences within a calendar month, or 10 within a 90 calendar day period, the student's primary teacher shall report to the principal or designee that the student may have a pattern of nonattendance. The principal shall, unless there is clear evidence that the absences are not a pattern of nonattendance, refer the case to the school's attendance team. If the attendance team (AT) determines that a pattern of nonattendance is developing whether the absences are excused or not, a meeting with the parent must be scheduled. If the parent meeting does not resolve the attendance problem, the AT shall implement interventions that best address the problem. If the parent/guardian refuses to participate in the remedial strategies because he or she believes they are unnecessary or inappropriate, the parent/guardian may appeal to the School Board. If excessive unexcused absences continue, legal action may be initiated against the parent/guardian and/or student. (F.S. 1003.26; 1003.27)

B. LEGAL DEFINITIONS

1. **HABITUAL TRUANT** [F.S. 1003.01(8)] – A habitual truant is a student who has 15 unexcused absences within 90 calendar days, with or without the knowledge or consent of the student’s parent or legal guardian, is subject to compulsory school attendance under F.S. 1003.21(1) & (2) (d), and is not exempt under F.S.1003.21 (3) or F.S.1003.24, or by meeting the criteria for any other exemption specified by law or rules of the State Board of Education. Such a student must have been the subject of the activities specified in F.S. 1003.26 and 1003.27(3), without resultant successful remediation of the truancy problem before being dealt with as a child in need of services according to the provisions of chapter 984.
2. **DROPOUT** (F.S. 1003.01(9)) – Dropout means a student who meets any one or more of the following criteria:
 - a. The student has voluntarily removed himself or herself from the school system before graduation for reasons that include, but are not limited to marriage, or the student has withdrawn from school because he or she has failed the state-wide student assessment test and thereby does not receive any of the certificates of completion;
 - b. The student has not met the relevant attendance requirements of the school district pursuant to state Board of Education rules, or the student was expected to attend a school but did not enter as expected for unknown reasons, or the student’s whereabouts are unknown;
 - c. The student has withdrawn from school, but has not transferred to another public or private school or enrolled in any career and technical, adult, home education, or alternative educational program;
 - d. The student has withdrawn from school due to hardship, unless such withdrawal has been granted under the provisions of F.S. 322.091 court action, expulsion, medical reasons, or pregnancy; or
 - e. The student is not eligible to attend school because of reaching the maximum age for an exceptional student program in accordance with the district’s policy.
3. **TRUANCY PETITION** (F.S. 984.03(57)) – A petition filed by the Superintendent of Schools alleging that a student subject to compulsory school attendance has had at least five unexcused absences, or absences for which the reasons are unknown, within a calendar month or 10 unexcused absences, or absences for which the reasons are unknown, within a 90-calendar-day period, or has had more than 15 unexcused absences in a 90-calendar-day period. A truancy petition is filed and processed under F.S. 984.151.

C. ENFORCEMENT OF SCHOOL ATTENDANCE LAWS

The Superintendent shall be responsible for the enforcement of compulsory school attendance laws according to F.S. 1003.26.

1. **CRIMINAL COMPLAINTS AGAINST PARENTS/GUARDIANS:** If a student continues a pattern of nonattendance and the parent/guardian is noncompliant with the activities required under F.S. 1003.26 (1), criminal prosecution may be commenced by the Superintendent or his/her designee. The Superintendent or his/her designee shall give written notice, in person or by return receipt mail to the parent, guardian, or other person in charge of the child that criminal prosecution is being sought for nonattendance. If the parent/guardian has made a bona fide and diligent effort to control and keep the child in school, however, the child continues to have a pattern of excessive unexcused absences; the child shall be dealt with as a habitual truant.
2. **TRUANCY CASES:** When a student, subject to compulsory school attendance, has had at least five unexcused absences for which the reasons are unknown, within a calendar month or 10 unexcused absences, or absences for which the reasons are unknown, within a 90-calendar-day period pursuant to F.S.1003.26(1)(b), or has had more than 15 unexcused absences in a 90-calendar-day period, the Superintendent is authorized to file a truancy petition, as defined in F.S. 984.03, following the procedures outlined in F.S. 984.151. If the Superintendent chooses not to file a truancy petition, procedures for filing a child-in-need-of-services petition shall be commenced pursuant to F.S. 1003.26 and F.S. 984. An interagency cooperative agreement as required by F.S. 1003.27(4) shall be developed and will define each participant's role responsibility and function in working with habitual truants and their families.
3. **LEARNFARE:** Pursuant to F.S. 414.125 LEARNFARE legislation, welfare reform initiatives, now requires school age children (6-16) of cash assistance recipients to attend school regularly. The Clay County School Board and the Department of Children and Families will implement this legislation through an Interagency Agreement, which specifies the responsibilities and tasks of each participant.
4. **DRIVERS LICENSE LAW:** Each principal or designee shall notify the district school board of each minor under its jurisdiction who accumulates 15 unexcused absences in a period of 90 calendar days. The Superintendent must provide the Department of Highway Safety and Motor Vehicles the legal name, sex, date of birth, and social security number of each minor who has been reported under this paragraph. [Ref. F.S. 1003.27(2) (b)] NOTE: Please REFER TO CCSB POLICY 4.53.
5. **NON-ENROLLMENT:** Under the direction of the Superintendent, a designated school representative shall give written notice, in person or by return receipt mail, to the parent, guardian, or other person having control when no valid reason is found for a child's non-enrollment in school which requires enrollment or attendance within 3 days after the date of notice. If the notice and requirement are ignored, the designated school representative shall report the case to the Superin-

tendent and may refer the case to the case staffing committee, established pursuant to F.S. 984.12. The Superintendent shall take such steps as are necessary to bring criminal prosecution against the parent, guardian, or other person having control.

6. **WITHDRAWAL DUE TO NON-ATTENDANCE:** Students ages 16 and 17 who have 15 or more consecutive unexcused absences may be withdrawn due to non-attendance if the student and parent/guardian sign the Declaration to Terminate School Enrollment form, or the following steps have been completed: 1) Several attempts have been made to contact the student and the parent/guardian regarding the student's non-attendance, the potential withdrawal and the requirement to sign a Declaration to Terminate School Enrollment. 2) A letter has been sent to the student and parent/guardian notifying him/her that the student will be withdrawn for non-attendance, if contact is not made with the school within 5 days explaining the absences and reason why the student should not be withdrawn. 3) A social work referral has been made requesting contact with the student and parent/guardian to investigate the student's non-attendance, explore educational alternatives, explain legal action due to truancy and determine Clay County residency.
7. **RILYA WILSON ACT:** Children ages three to school age in the care of Department of Children and Families (DCF) and served by Clay and Baker Kids Net, Inc. (CBKN) who are accepted and enrolled into a licensed early education or child care program are required to attend five (5) days per week unless the court approves a modified schedule. Operators of the program the child attends are required to report attendance and discharge from the program to the child's Family Services Counselor (FSC).

The child's FSC must meet with the manager/director of the early education or child care facility to inform him/her that the child is required to attend the program under the Rilya Wilson Act. The FSC shall provide the number of days the child will be attending and review the procedures to follow if the child is absent. The manager/director will keep on file the FSC's name, telephone number, supervisor's name and telephone number. The manager/director must contact the child's FSC if the child has two excused absences or seven consecutive excused absences. That child cannot be withdrawn from the program without the FSC's consent.

D. EXCUSED/UNEXCUSED ABSENCES

1. An absence from school under the following circumstances shall be considered excused:
 - a. With permission – The absence was with the knowledge and consent of the principal of the school, which the student attends.
 - b. Sickness, injury or other insurmountable condition – Attendance was impracticable or inadvisable on account of sickness or injury, or was impracticable because of some other stated insurmountable condition.
 - c. Absence for religious instruction or holidays – A student with the written consent of his or her parent/guardian shall be excused from attendance in

school on a particular day or days, or at a particular time of day, and shall be excused from any examination, study or work assignment at such time to participate in religious instruction, for observance of a religious holiday or because tenets of his or her religion forbid secular activity at such time. The principal shall reserve the right to refuse a student's request for released time, if according to the provisions of the district's student progression plan:

1. The student is not enrolled in sufficient courses to allow for the student's promotion or graduation, and thus the released time would not be equivalent to an optional period.
2. The student's grades/academic progress is insufficient to allow for the student's promotion or graduation.

Absences approved for religious reasons do not affect perfect attendance.

- d. Absences due to head lice will be excused, up to 2 days per incident and for a total of 10 days per school year. After a student has accumulated 10 excused absences due to head lice during a school year, further absences due to head lice will be considered unexcused. Unusual circumstances may be addressed by the principal to go beyond these 10 days for excused absences.
2. It is the responsibility of the parent/guardian to provide a written statement to the school explaining the absence within three (3) school days following the return of the student to school.
3. If a student is continually sick and repeatedly absent from school, he or she must be under the supervision of a physician in order to receive an excuse from attendance. Such excuse provides that a student's condition justifies absence for more than 5 days per grading period/10 days per semester/20 days per year. The principal of the school shall determine when it is necessary to require a physician's statement from the student's medical provider and required the parent/guardian to provide a copy to their child's school within a reasonable period of time as determined by the principal or designee.
4. An absence from school under the following circumstances may be considered unexcused.
 - a. The absence was without the parent/guardian's knowledge, consent or connivance.
 - b. Permission for the absence was requested but denied by the principal of the student's school.
 - c. No written statement of the absence from the parent/guardian has been received by the school explaining the reason for the absence within three (3) school days following the return of the student to schools.

5. The principal has administrative discretion in cases of excessive absences to reject a written note and consider the absence as unexcused when absences are seriously impacting academic progress, with the exception of sickness, injury or insurmountable conditions.
6. Accumulated unexcused tardy and early departure time equivalent to one full school day may be counted as one unexcused absence in the total number of unexcused absences required for possible legal action.
7. Missed instructional time due to tardies and early departures shall be accumulated as excused or unexcused using the same policies as for absent days.

E. PROCEDURES

A Superintendent's Administrative Directive shall specify the procedures to be used by the local school to handle non-attendance/truancy of children of compulsory school age. The Directive will also address the role and responsibilities of the school social worker in assisting schools with the enforcement of attendance policies and laws.

F. ACADEMIC PENALTIES FOR NON-ATTENDANCE

1. Absence by a student for twenty (20) or more days during the school year shall create a strong presumption that the student has failed those subjects or courses in which he is enrolled during that period. For semester courses, ten (10) days shall apply; for individual grading periods five (5) days shall apply. Such presumption may be overcome by effort or performance which satisfies the teacher(s) involved, that such student should receive other than a failing grade.
2. A review committee representing the administration, the instructional staff, and guidance appointed by the principal, will review each such case individually and will make recommendations. Individual teacher(s) shall give strong consideration to the recommendation of the review committee in determining the effort or performance of the student.

(Ref. F.S. 1003.21; 1003.01; 1003.24; 1003.26; 1003.27)(Adopted: 01/08/81)(Adopted: 07/11/85)
 (F.S. 39.01, 426; 1001.53, 2468; 332.091; 414.125)(Ref. F.S. 984.03, 151) (Amended: 10/18/01)
 (Ref. F.S. 39.604) (Amended: 02/24/05, 08/17/06) (Ref. 1002.20)(Amended: 11/20/07)

4.02 STUDENT ATTENDANCE RECORDS

- A. The presence, absence, or tardiness of each student shall be checked once each day during the time frame formally designated by the school and all absent and tardy students shall be recorded daily in the automated student attendance record keeping system or an approved alternative system. Absences shall be entered as E for excused, U for unexcused or O for out of school suspension.
- B. Attendance of all students for at least one hundred eighty (180) days of instruction or the equivalent, as provided by law and regulations of the State Board, shall be required except for absence due to illness or otherwise as provided by law or School Board Policy.

- C. For the purpose of compliance with the compulsory attendance requirements of Chapter 1003, Florida Statutes, a student shall be deemed to be in attendance if actually present at school, or away from school on the school day engaged in an educational activity which constitutes a part of the school-approved instructional program for that student. Any such attendance must be in accordance with the minimum requirements specified by F.S. 1003.23.
- D. The automated student attendance record keeping system, or an approved alternate record system, shall be retained at the school unless otherwise directed by the Superintendent of Schools.
- E. The principal shall be responsible for the administration of attendance policies and procedures and for the accurate reporting of attendance in the school under his/her direction. The principal shall assure that all teachers and clerks are instructed in the proper recording of attendance, and it shall be his/her duty to see that such instructions are followed. An attendance report containing any material inaccuracies resulting from the negligence of the principal shall be considered a false report for which the principal shall be subject to penalties as provided by law. The method used to certify the records shall be based on internal district procedures. (State Board Rules 6A-1.044)
- F. The automated student attendance record keeping system or other approved alternate system shall be prima facie evidence of the facts, which it is required to show.
- G. Attendance at school is to be encouraged. Perfect attendance certificates for all students who have been neither absent nor tardy during the school year are available for issuance to students.

(Ref. F.S. 1003.23)(Adopted: 10/08/81)(Ref. F.S. 1000.21; 1003.23)(Amended: 10/16/97; 05/19/05)

4.03 STUDENT DRESS

All students shall be properly groomed and attired when on school property or participating in school activities. Students shall be dressed so they will not present a clear danger to health and safety; nor shall they be dressed in indecent or obscene attire; nor shall they be dressed in a manner, which causes an interference with work or creates classroom or school disorder.

(Ref. F.S. 1001.41) (Adopted: 01/08/81)

4.04 DISCIPLINE

A. Scope of the School District

- 1. The School Board is the governing body of the District and is responsible for the control, operation, organization, management, and administration of schools in Clay County pursuant to the provisions and minimum standards prescribed by Florida Statutes and State Board of Education Rules. The School Board shall provide an environment, which is conducive to learning and free from intimidation and assault.

2. The district school system is part of the state system of public education and includes all public schools, classes, and courses of instruction and all services and activities directly related to education in the district, which are under the district school officials' direction.

B. Student Conduct Code

1. The Code of Student Conduct for Elementary Schools and the Code of Student Conduct for Secondary Schools are hereby incorporated by reference and made a part of this rule. The Code of Student Conduct and any revisions shall be approved and adopted by the School Board. The Code of Student Conduct shall:
 - a. Be developed by School Board members, appropriate grade level teachers, school personnel, school administrators, students, and parent(s) or legal guardian of students.
 - b. State grounds for disciplinary action procedures and the rights of students.
 - c. Be distributed to all teachers, school personnel, students, and students' parent(s) or legal guardian at the beginning of each school year.
 - d. Be filed in the Superintendent's office.
2. The Code of Student Conduct shall be discussed with students, school advisory committees, and parent/teacher associations at the beginning of each school year.

C. Corporal Punishment

1. Definition: Corporal punishment is the moderate use of physical force to physical contact by a teacher or principal as may be necessary to maintain discipline or to enforce school rules.
2. Authority of the Principal

The use of corporal punishment in the individual schools may be determined and regulated by the principal. The principals shall file with the Superintendent annually, before the opening of school, a written plan for the use of corporal punishment, such plan to be consistent with the following guidelines:

- a. A good faith effort shall be made by school personnel to employ parental assistance, or other alternative measures prior to the use of corporal punishment.
- b. Professional staff members authorized by the principal to administer corporal punishment must be identified by name or by title.
- c. Procedures established by the principal shall ensure that such punishment is not inflicted in a manner which could be determined to be degrading or

unduly severe and in no case shall corporal punishment be administered in the presence of other students.

- d. Provision must be made for an adult employee to witness each and every incident of corporal punishment and to be informed beforehand and in the presence of the student of the reason for the punishment.
- e. Upon request of the parent, the principal or other person who administered the punishment, shall provide a written explanation of the reason for the punishment and the name of the adult witness.

3. Authority of the Superintendent

The Superintendent shall have the authority to review and modify each principal's plan for the use of corporal punishment to ensure compliance with the Florida Statutes and School Board rules relating to corporal punishment.

- 4. The principal shall make available to students, parents, and school personnel the approved plan for the use of corporal punishment.

D. Detention of Students

After parents/guardians are notified, students may be detained after school hours for reasons of poor conduct or failure to complete required schoolwork. Students may not be detained in excess of one (1) hour. It is the responsibility of the parents/guardians to provide transportation if a student is required to stay after regular school hours.

E. Suspension and Expulsion of Students

1. Definitions

- a. Suspension is the temporary removal of a student from the school by action of the school principal, such removal to be limited to ten (10) school days unless extended by the Superintendent until the next School Board meeting.
- b. Expulsion is the removal of the right and obligation of a student to attend the K-12 and/or Adult and Community Education program, such removal to be by action of the School Board and for a period of time not to exceed the remainder of the current school term and one additional school year.

- 2. The principal may suspend a student from school for willful disobedience, open defiance of the principal or staff member's authority, interference with the orderly discharge of normal school functions use of profane or obscene language, harassment, sexual harassment, other serious misconduct, and for repeated misconduct of a less serious nature. To avoid suspension, the principal should make a good faith effort to employ parental/guardian assistance or other alternative measures except in cases of emergency or disruptive conditions, which require immediate suspension. Alternative measures include, but are not limited to, referral to Student Services, parent/guardian conferences, physical examinations, remedial

techniques, educational alternatives, and properly supervised activities relating to the upkeep and maintenance of school facilities. In cases of sexual harassment a documented investigation will take place. The documentation will include the facts of the charge, impact on the victim, prior interventions or occurrences, and what action is to be taken. If the suspension involved a minor student, the parent(s), legal guardian, or custodian shall be notified in writing of the reasons for suspension and shall be provided an opportunity for a conference within twenty-four (24) hours of the effective date of suspension. If an adult student is involved, he/she shall be notified as to a conference date within twenty-four (24) hours of the effective date of suspension. The Superintendent shall receive a copy of any correspondence sent to the parent(s), legal guardian, custodian, or adult student. No suspension shall exceed ten (10) days. A suspension shall not result in dismissal unless the School Board adopts a resolution.

3. A student who is transported to and from school at public expense may be suspended from riding a school bus by a principal for a period not to exceed ten (10) school days. Written notice shall be given immediately to the parent(s), legal guardian, or custodian and to the Superintendent. A student who is eighteen (18) years of age shall be given written notice directly and a copy thereof sent to the Superintendent.
4. A student may be suspended from all classes when he/she is formally charged with a felony by a proper prosecuting attorney for an incident which allegedly occurred on other than school property, but which is shown to have an adverse impact on the educational program, discipline, or welfare in the school in which the student is enrolled. Following an administrative hearing conducted pursuant to State Board of Education Rules and after due notice to the parent(s), legal guardian, or custodian, the student may be suspended from School Board property during regular classroom hours for a period of time as determined by the Superintendent.
5. The following information shall be included in the written notice of suspension to the parent(s), legal guardian, or custodian of the minor student or the adult student and the Superintendent.
 - a. Nature of the offense.
 - b. The date of the offense, the beginning date of the suspension, and the date on which the student may return to school.
 - c. Any conditions involving the suspension, such as a possible reduction of the suspension following a conference and assurance from the student of a change of attitude.
6. Beginning August 1, 1991, any suspension notice to the adult student or the parent(s), legal guardian, or custodian of a minor student shall be: 1) hand-delivered by the principal or an administrative staff member, or 2) sent by regular mail, if parents or legal guardian are contacted by phone, or 3) sent by certified mail with a return receipt. If the parents cannot be contacted, the student is **NOT TO BE SENT HOME DURING THE SCHOOL DAY.**

7. Whenever possible, a hearing shall be given to the adult student or a minor student and his/her parent(s), legal guardian, or custodian prior to the effective date of the suspension. Where conditions do not judiciously allow a delay in the suspension, the adult student or the parent(s), legal guardian, or custodian of the minor student shall be offered a hearing within twenty-four (24) hours following the effective date of the suspension. Whenever possible, after hearing a student's defense or explanation of his/her conduct, the principal shall explain to the student the reasons for the suspension and the conditions thereof.

8. Initial Student Hearing

In accordance with F.S. 1001.42(1)-(4); 1012(5); 1006.07(6); 1006.28(7) and 1006.21(8) suspension hearings are exempted from Chapter 120. Section IV, page 5, of the Code of Student Conduct will be followed to protect the rights of students and parents/guardians.

9. Parent Conferences

If the parent/guardian avails himself of the opportunity to discuss the suspension with the principal, any person(s) who may have been involved in the case may attend the conference upon the parent's/guardian's request. At this time, the student may also be present. This protection of the student's due process carries with it several important concepts. The parent/guardian of the student must have been notified in advance of the parental conference of the specific nature of the charges against the student by means of the suspension letter, and the student must be given the opportunity to be heard at the parent conference. The school administrator, after reviewing the case with the parent/guardian, will reaffirm the length of suspension as originally stated in the suspension letter, or will adjudicate the length of suspension upon consideration of the results of the parent conference. The parent/guardian, at this initial conference, should be advised of his right to appeal the action of the principal to the District School Superintendent and to the District School Board, in that order. A parent conference report is to be completed after the hearing. Pending such hearing the student may be temporarily suspended by the principal.

10. Superintendent's Review

If the parent or guardian feels that his child was not afforded a fair hearing at the school, he may appeal to the District Superintendent of Schools, who shall review the previous hearing of the student and shall have the authority to rule on the facts and validity of the suspension. The District School Superintendent may hear any additional testimony that may be deemed necessary to aid in making a final decision. Provision shall be made for District School Board review of the case, if, such an appeal is made by the parent/guardian.

11. Procedures for Expulsion

The principal may suspend a student from school for a period not to exceed ten (10) days with a recommendation that the student be expelled from school. Whenever, possible, or if conditions permit, the principal shall hear the student's defense or explanation of his/her conduct and shall explain to the student the reasons for the suspension with recommendation of expulsion. When possible, a hearing shall be given to the adult student or the minor student's parent(s), legal guardian, or custodian prior to the effective date of the suspension. A disruptive student who interferes with the orderly discharge of normal school functions shall be suspended forthwith; the minor student's parent(s), legal guardian, or custodian or the adult student shall be notified as provided herein with an offer of a conference subsequent to the effective date of the suspension. The principal shall conduct an investigation into charges and shall obtain written and signed statements from any witness immediately after the incident. A tape recorder may be used with the knowledge of all parties concerned to record any proceedings with the parent(s), legal guardian, custodian, or student, which may lead to a recommendation of expulsion. The following procedure shall be observed when a student is suspended with a recommendation for expulsion:

- a. The principal shall prepare a letter, which states the reasons for suspension and the recommendation that the student be expelled.
- b. The principal or designee shall hand-deliver the letter of notice to the parent(s), legal guardian, or custodian of a minor student or to the adult student or shall send the letter of notice by certified mail with a return receipt. A copy of the suspension notice and recommendation of expulsion shall be sent to the Superintendent.
- c. In making a request for expulsion, the principal shall make a written recommendation as to the length of the expulsion. When the principal recommends expulsion of the student from school, the principal shall provide the following information:
 - 1) Attendance, conduct, and suspension;
 - 2) The number of times the student has been seen by the visiting teacher, counselor, or other school supportive personnel;
 - 3) Curriculum adjustments, which have been made;
 - 4) The number of times the school has involved the parents in the student's adjustment problems;
 - 5) Other measures taken by the school to bring about a change in conduct of the student.

This letter will be made available to the student's parents or representative, and to the School Board members, as part of the background information for the recommended action of the expulsion.

- d. The Superintendent, if he/she concurs with the recommendation for expulsion shall notify the adult student or the parent(s), legal guardian, or custodian of the minor student by certified mail with a return receipt requested. The notice shall specify the time and place the School Board will hear the charges and act on the expulsion recommendation. The minor student's parent(s), legal guardian, or custodian or the adult student shall be fully advised of the right to appear before the School Board during the hearing. The principal and any witness shall also be informed as to the time and place of the hearing.
 - e. Any student whose expulsion is being considered shall be accorded due process prior to his/her expulsion and during such hearing. This shall include:
 - 1) A written copy of the charges against the student provided to the minor student's parent(s), legal guardian, or custodian or to the adult student.
 - 2) An offer of a hearing at which the student may call witnesses and present evidence in his/her own behalf.
 - 3) The right to cross-examine witnesses.
 - 4) The right to defend his/her actions.
 - 5) A legal counsel, at the student's expense, or other person who can assist the student in presenting his/her defense.
 - 6) A written copy of the School Board's findings or action.
12. The Superintendent may extend the suspension assigned by the principal beyond ten (10) days if expulsion is recommended and such suspension period expires before the next regular or special meeting of the School Board.
- a. Such an extension of a suspension requires the Superintendent to notify the minor student's parent(s), legal guardian, or custodian or the adult student in writing prior to the expiration of the suspension assigned by the principal. The period of time for the additional suspension shall be stated in the notice.
13. The Superintendent may recommend to the School Board expulsion of a student who is found guilty of a felony. Provided, however, any student subject to discipline or expulsion for being found guilty of a felony for the unlawful possession or use of any substance controlled under Chapter 893, Florida Statutes, may be entitled to a waiver of the discipline or expulsion if he/she divulges information leading to the arrest and conviction of the person who supplied such controlled substance or if he/she voluntarily discloses the unlawful possession of such controlled substance prior to arrest.

14. The Superintendent shall have the authority to:

Recommend to the School Board that a student be expelled for a period of time not to exceed the remainder of the current school year and one (1) additional year when that student has:

- A. possessed, used, or sold a firearm, knife, and any other item defined in the Gun Free Schools Act of 1994 and F.S. 790.115. (See Elementary and Secondary Code of Student Conduct)
 - B. possessed, used, handled, or transmitted a substance capable of modifying mood and/or behavior (drug or alcoholic beverages);
 - C. used any article as a weapon or in a manner reasonably calculated to threaten any person;
 - D. committed a breach of conduct, including but not limited to, an assault on school personnel or on another student, a lewd or lascivious act, arson, vandalism, or any other act which disrupts or tends to disrupt the orderly conduct of the school or school activity;
 - E. engaged in less serious but continuing misconduct, including, but not limited to, the use of profane, obscene, or abusive language, or other acts that are detrimental to the educational function of the school. Any expulsion recommendation based on such misconduct shall include a documented report by the principal on the corrective measures taken prior to recommending expulsion.
15. In the event that a student who has been recommended for expulsion withdraws from enrollment in the Clay County Schools, the expulsion proceedings shall continue as though the student had not withdrawn. The Principal, Superintendent and School Board shall not delay action on an expulsion recommendation pending re-entry/re-registration of the student in Clay County District schools.

(Ref. F.S. 120.57(2); 1001.30; 1001.32; 1001.42(13); 1001.51(13); 1001.54 (3); 1003.31; 1003.32; 1006.07(1-2); 1006.08(8); 1006.09; 1006.10; 1006.13; SBER 6A-10956) (Amended: 03/21/91, 05/21/09)

4.05 DRUG ABUSE, WEAPONS OR FIREARMS

A. Administration

1. The Code of Student Conduct will be in compliance with the Florida Statutes as related to disciplinary action which may be imposed if students use or possess alcoholic beverages, as defined in 561.01(4) F.S., or are involved in illegal use, sale, or possession of control substances, as defined in Chapter 893.02, F.S. or weapons, or possession of electronic telephone pagers, by any student while such student is on school property or while attending a school function.

*Individual school administration will establish and publish guidelines for “authorized possession” of pagers and cellular phones during extracurricular activities.

When the principal has reasonable cause to believe that a student may be in violation of this policy, based on actual evidence, he/she shall immediately notify the appropriate law enforcement officials, the parents or guardians, and the Superintendent or his/her designee.

All school personnel are required to report to the principal or the principal’s designee any suspected unlawful use, possession, or sale of any controlled substance, counterfeit controlled substance, alcoholic beverage or model glue, by a student. (F.S. 1006.09(8))

All school personnel shall be exempt from civil liability when reporting in good faith to the principal or designee suspected unlawful uses, possessions, or sales of drugs by students. The principal or designee shall contact a parent or legal guardian regarding this situation.

2. If the student is formally charged with a misdemeanor or when the principal has reasonable cause to believe that a student may be in violation of the drug abuse policy, based on actual evidence, the student is not formally charged with a violation of the drug abuse law, the principal shall handle the case in accordance with the current policies governing the discipline of students, including the provisions for suspension and expulsion. The requirement of granting the student a hearing after due notice to student and parent shall be binding.

B. Counseling

The following guidelines are provided in dealing with students who seek counsel from school personnel about marijuana, narcotics, dangerous drugs or dangerous substances, bearing in mind the police power of the state cannot be diminished or compromised by the school officials for a student.

1. That a student approaching a teacher, counselor or other professional school personnel for help be free of humiliation, frustration, and fear of being searched by a security officer before counseling can take place.
2. That a student should be free from fear of administrative reprisal.
3. That students should be made aware that under Federal or State Statutes, it is not a violation of the law to admit having used marijuana, narcotics, et cetera, but such disclosure might, in rare instances, lead to arrest and prosecution for violation of drug statutes.
4. That school personnel must, of course, use discretion and judgment in a situation, which may involve a violation of Federal, State, or Local Law.

5. That a student who requests help should be referred to a guidance counselor or other school or community resources offering to provide the needed help. Mutual acceptance is a prerequisite.
6. That parental involvement should be accomplished as soon as practical without jeopardizing the achievement of professional assistance for the individual.

C. Firearm Possession

Notwithstanding the provisions of any Florida Statute to the contrary, possession of a firearm or antique firearm, as defined in Fla. Stat. 790.001, on school property is prohibited. For purposes of this policy possession is defined to include, but not be limited to, maintenance of a securely encased firearm or antique firearm in the locked or unlocked trunk, interior passenger compartment or interior or exterior storage compartment of a motor vehicle which is occupied or unoccupied and is either moving, standing or parked on school property, including but not limited to areas designated for motor vehicle operation or designated for motor vehicle parking. For purposes of this policy “school” is defined to include any pre-school facility, elementary school, middle school, junior high school, K-8 school, high school, secondary school, career center, post-secondary school or any other facility owned or operated by the School Board for the purpose of educating students regardless of their age or grade level.

The student codes of conduct shall include a violation of this provision as a Level IV “Zero Tolerance” offense. The prohibitions of this policy shall not apply to state or local law enforcement officers who are authorized by law to possess and carry firearms.

(Ref. F.S. 1006.09)(Adopted: 01/08/81)(Amended: 03/21/91, 07/17/08)

4.06 STUDENT ASSIGNMENT

A. STUDENTS

Students will be assigned to appropriate schools on the basis of attendance zones recommended by the Superintendent and established by the Clay County School Board. The recommendations of the Superintendent will be approved by the Clay County School Board for advertisement, in accordance with Florida Statutes 1002.31. In addition, the Superintendent will make a reasonable effort to notify parents/guardians whose children will be affected by the proposed change in zoning. Copies of the proposed zoning changes will be sent to each affected school’s PFA president or School Advisory Council.

New students coming into the public schools during the school year will be assigned to the school located in the attendance zone in which the student resides.

When a parent/guardian desires his child to attend a school other than the one to which he has been assigned due to a hardship or unique circumstances, the parent/guardian must direct a written request to the Superintendent via the Special Pupil Request form, specifying the school assignment desired and stating the reasons for the request. Any applicable supporting documentation should be submitted along with the application. While the application is pending, the child must remain in attendance in the school of the

original assignment. If the application is approved, the child may be authorized to ride the bus to the new school, but on a “space available” basis only. The child’s status on the bus shall be the same as any other “courtesy rider” as defined in Board Policy 6.84, paragraph G.6.c. Note: All high schools are not accepting students outside of that school’s zone with the exception of students accepted into Academies and IB or Cambridge programs.

In addition to the established attendance zone, Special Pupil Requests due to hardship, and career academies, the Clay County School District will provide additional options for school assignment based on Controlled Open Enrollment in accordance with Florida Statute 1002.31. The process for Controlled Open Enrollment shall be detailed in the Clay County School District’s Open Enrollment Plan.

B. EMPLOYEES

Employees of the Clay County School Board, who wish to enroll their children in attendance zones other than the one in which they reside, shall complete the Special Pupil Request (STD-1-2414).

Note: Students of employees are held to the same standard of other SPR students regarding grades, attendance and discipline to remain at their requested school.

C. SPECIFIC ALLOWANCES FOR REQUESTING ATTENDANCE IN NON-ASSIGNED SCHOOL ZONE

Day Care (PK-6 ONLY): Must attach day care provider form (STD-1-2479). Approval is based on space availability in requested school.

Medical: **Must** attach physician’s statement to form STD-1-2414.

Academic Programs (Grades 9-12 ONLY): Submit form STD-1-2414 with verification by principal of acceptance into academic program.

Seniors: Those students entering their senior year and their zoned school changes due to redistricting.

Extenuating Circumstances: (*) Attach any/all documentation to form STD-1-2414.

Renewals to remain at requested schools are approved based on grades, attendance, and discipline.

D. ESTABLISHMENT OF NEW SCHOOL ZONES

Special Pupil Requests by the parent/guardian as a result of a zoning change for secondary schools within the county are denied with the exception of seniors and academic programs as noted in “C”.

() NOTE: Persons claiming extenuating circumstances to leave a zone which they have been redistricted to attend should be prepared to appear before the Board as their request may require action by the Clay County School Board.*

E. CONTROLLED OPEN ENROLLMENT

In an effort to provide parental choice regarding a student's education, parents/guardians shall have the option of applying to send a student to a different school provided the receiving school has adequate capacity.

The Clay County School District's Open Enrollment Plan shall be submitted by the Superintendent and approved by the Clay County School Board annually.

The Open Enrollment Plan shall detail:

- a. Which schools have available capacity for a given year;
- b. The percentage threshold used to determine capacity;
- c. The dates and method of applying for Open Enrollment; and
- d. The lottery process used to determine which applications are granted.

There shall be no appeals process for Controlled Open Enrollment as the selection of students is based strictly on a random lottery procedure.

Controlled Open Enrollment shall be administered by the Superintendent and/or his designee. Applications shall be received by the Superintendent and individual schools shall not be involved in the Controlled Open Enrollment Process.

No District transportation options are available to any Controlled Open Enrollment assignment in Clay County. Transportation must be arranged and provided by the parent/guardian.

Controlled Open Enrollment placement may be rescinded if:

- a. Incorrect or false information was provided in the application; or
- b. Attendance, tardiness or discipline/behavior problems develop at the receiving school.

F. CATEGORY RANKINGS FOR DETERMINING SCHOOL ASSIGNMENT

For purposes of determining school assignment, Special Pupil Requests and applications pursuant to Controlled Open Enrollment shall be processed in the following order:

1. Career and Technical Education Academies (including academic acceleration programs such as IB and AICE):
 - a. Students residing in the school district shall be given priority access;
 - b. Out-of-County Residents may be accepted in any remaining program openings.

2. Clay County School District Employees;
3. Hardship applications including Special Pupil Requests;
4. Controlled Open Enrollment – Group I (to be ranked equally):
 - a. Dependent children of active duty military personnel whose move resulted from military orders;
 - b. Children who have been relocated due to a foster care placement in a different school zone;
 - c. Children who move due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent;
 - d. Students residing in the school district.
5. Controlled Open Enrollment – Group II:
 - a. Out-of-County Residents

G. CHANGE OF ADDRESS DURING SCHOOL YEAR

When a family moves from one attendance zone to another during the school year, the parent/guardian may elect to transfer the child to the school for the zone of the new address or keep the child enrolled for the remainder of the school year. If the parents/guardians choose the latter option, they must complete a Special Pupil Request form (STD-1-2414), which should be processed by the school as usual. If approved, the child may be permitted to ride the school bus under the “space available” conditions identified in “A” above.

If the family anticipates a move and wishes to enroll in the new home address school zone, parent(s)/guardian(s) should present a NOTARIZED statement/contract from the realtor for processing with the Special Student Assignment. When parent(s)/guardian(s) presents an architect’s or contractor’s NOTARIZED statement that their home is under construction, with an anticipated completion date within four (4) months, the children may be enrolled in the school for the zone of the new home. This statement should be attached to the Special Pupil Request for processing.

SPECIAL PUPIL REQUESTS MAY BE RECOMMENDED FOR CANCELLATION BY THE PRINCIPAL OF THE RECEIVING SCHOOL IF THE REASON FOR THE ASSIGNMENT IS NO LONGER VALID OR IF THE STUDENT FAILS TO FOLLOW RULES OR REQUIREMENTS OF THE SCHOOL DURING THE SCHOOL YEAR.

H. RELEASE FROM ATTENDING SCHOOL IN CLAY COUNTY

Clay County students may be released by the Superintendent to attend school in an adjoining county pursuant to Controlled Open Enrollment. Financial, transportation, and other responsibilities shall become the responsibility of the receiving school district. For

purposes of state reporting, the student shall be reported by the receiving school district unless a letter of agreement is negotiated between the Clay County School Board and the School Board of the other county detailing a cost sharing or other arrangement.

H. HOMELESS STUDENTS

The School Board of Clay County shall ensure that homeless children and youth, including preschool-aged children are afforded the same free, appropriate public education as provided to other students and have access to the education and other services that such students need to ensure that they have an opportunity to meet the same challenging Florida student academic achievement standards to which all students are held. Homeless students shall not be stigmatized or segregated or separated into other educational programs on the basis of their status as homeless. This district shall establish safeguards that protect homeless students from discrimination on the basis of their homelessness. The district will removed barriers that affect the enrollment and retention of homeless students.

1. Definitions

The District homeless education liaison shall make a final determination of homeless status on a case-by-case basis.

- a. The McKinney-Vento Act defines homeless students as individuals who lack a fixed, regular, and adequate nighttime residence and includes children and youth who:
 - 1) Are sharing the housing of other persons due to loss of housing economic hardship, or similar reason;
 - 2) Are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
 - 3) Are living in emergency or transitional shelters; abandoned in hospitals;
 - 4) Have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodations for human beings;
 - 5) Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
 - 6) Are migratory children who qualify as homeless because the children are living in circumstances described in 1) through 5).
- b. The term “unaccompanied youth” means a student who is not in the physical custody of a parent or guardian.
- c. The term “school or origin” means the school that the student attended when permanently housed or the school where the child or youth was last enrolled.

- d. The terms “enroll and enrollment” mean attending school and participating fully in school activities.
- e. The term “immediate” means without delay.
- f. The term “parent” means parent or guardian of a student.
- g. The term “liaison” means the staff person designated by our LEA and each LEA in the state as their person responsible for carrying out the duties assigned to the liaison by the McKinney-Vento Act.

2. School Selection

- a. The District shall, according to that which is in the student's best interest, and if it is the wish of the parent, guardian, or unaccompanied youth, continue the homeless student’s education in the school of origin for the duration of homelessness, or enroll the student in a District school in the attendance zone in which the homeless student is actually living on the same basis as other district students.
- b. In determining that which is in the best interest of the student, the District shall;
 - 1) To the extent feasible, keep a homeless student in the school of origin, unless doing so is contrary to the wishes of the student’s parent or guardian.
 - 2) Provide a written explanation, including a statement regarding the right to appeal, if the District sends a homeless student to a school other than the school of origin.
 - 3) In the case of an unaccompanied student, ensure that the District homeless education liaison helps in placement or enrollment decisions, considers the views of the student, and provides notice of the right to appeal placement and enrollment decisions.
 - 4) The school of origin means the school that the student attended when permanently housed or the school in which the student was last enrolled. The choice regarding placement shall be made regardless of whether the student lives with the homeless parent or guardian or has been temporarily placed elsewhere.
 - 5) The requirements of the Student Assignment Plan for students moving their physical residence from one attendance zone to another, to transfer to a school in the new zone of residence, shall not apply to homeless students.
 - 6) The school selection may be documented through the Student Assignment waiver process.

3. Enrollment

The District will immediately enroll homeless students, new to the district, in school, even if they do have documents usually required for enrollment, such as school records (includes Individualized Education Plan-IEP, medical and immunization records, birth certificate, other documentation, or proof of residency or guardianship.

- a. A homeless student will be assigned to the student's school of origin as requested by the parent or guardian or to the District school in the attendance zone in which the student is actually living and in accordance with that which is in the student's best interest.
- b. Homeless students have a right either to remain in their school of origin or to attend school where they are temporarily residing.
- c. Homeless students who choose to remain in their school of origin have the right to remain there until the end of the school year in which they get permanent housing.
- d. If a homeless student arrives without records, the school shall contact the previously attended school system to obtain the required records and the assigned liaison shall assist the family as needed.
- e. The District shall immediately refer the parent or guardian to the districts homeless liaison for children and youth in transition, who will help in obtaining necessary immunizations or records if the student needs to obtain these records.

4. Residency

A homeless student is considered a resident if the child or youth is personally somewhere within the district with a purpose to live here temporarily, but not necessarily to remain permanently.

- a. The student shall be considered a resident when living with a parent, guardian, or person in loco parentis not solely for school purposes or for participation in extracurricular activities.
- b. Homeless students who do not live with their parents or guardians may enroll themselves in school.
- c. The address listed on the enrollment forms becomes proof that the student lives in Clay County, Florida.

5. Guardianship

- a. For purposes of school placement, any parent, guardian or person in-loco parentis who has legal or physical custody of a homeless child or youth shall enroll that child or youth directly in a District school via the school that registers students on-site, if selected.

- b. The District Guardian Responsibilities form should be completed within a reasonable period of time for those homeless students who are not accompanied by a parent or guardian, once a child or youth is enrolled in and attending a school.

6. Disputes

If a dispute arises over school selection, enrollment, or any issue covered in this Policy:

- a. The student shall be immediately admitted to the school of origin or assigned zone school as requested by the parent or guardian and transportation provided to and from the school of origin, pending resolution of the dispute;
- b. The parent or guardian of the student shall be provided with a written explanation of the District's decision regarding school selection, including the rights of the parent, guardian or student to appeal the decision through the Districts' enrollment dispute procedure and the Florida Department of Education's appeal process.
- c. The student, parent or guardian shall be referred to the District Homeless Education Liaison, who shall ensure the resolution process, is carried out as expeditiously as possible after receiving notice of the dispute; and
- d. In the case of an unaccompanied student, the District Homeless Education Liaison shall ensure that the student is immediately enrolled in school pending the resolution of the dispute.

7. Transportation

Maintaining the child's school stability while in out-of-home care is first priority, unless remaining in the school of origin is not in the best interest of the child. The below factors should be considered in determining whether or not a child remaining in the school of origin is in the child's best interest.

Best interest factors which must be considered include:

1. The child's desire to remain in the school of origin.
2. Was the preference of the child's parents or legal guardian considered?
3. Whether the child has a sibling(s), close friends, and/or a mentor at the school of origin.
4. The child's cultural and community connections in the school or origin.
5. The ability to implement a 504 Plan, I.E.P. or other special education services, if applicable.

6. The impact a change would have on academic credits and progress towards promotion.
7. The availability of extracurricular activities important to the child.
8. Course Offerings
9. The child's medical and behavior health needs.
10. The child's permanency goal and timeframe for achieving permanency.
11. The child's history of school transfers and how they have impacted the child.
12. The length of the commute and how it would impact the child.
13. Additional factors may be considered in making the best interest determination.

The District shall ensure, at the request of the District Homeless Education Liaison, transportation will be provided for a foster student to and from the school of origin as follows:

- a. If the homeless student continues to live in the School Attendance Boundary in which the school of origin is located, transportation will be provided by applying the same transportation eligibility requirements in place.
 - b. If a homeless student is located outside the school attendance boundary, every reasonable effort will be made to provide transportation using the existing transportation resources which may involve using ESE buses, arranging transfers between buses and riding on buses serving other schools.
 - c. If a homeless student moves to an area served by another district, though continuing his or her education at the school of origin, the district of origin and the district in which the student resides must agree upon a method to apportion responsibility and costs for transportation to the school of origin.
 - d. If the districts cannot agree upon such a method, the responsibility and costs must be shared equally.
8. Homeless students shall be provided services and educational programs comparable to those offered to other students in the school selected, including the following:
 - a. Preschool programs;
 - b. Transportation services;
 - c. Educational Services for which the student meets the eligibility criteria, including special education and related services and programs for English

language learners;

- d. Vocational and technical education programs;
- e. Gifted programs;
- f. School nutrition programs;
- g. Title I, Part A programs; and
- h. Before-and after-school programs.

9. **Preschool Programs**

The district shall ensure that homeless preschool-aged children and their families have access to educational services for which they are eligible, including preschool programs administered by the district.

10. **Homeless Education Liaison**

The Superintendent shall ensure that there is a District Homeless Education Liaison and his/her duties are communicated to district and school personnel and appropriate community agencies and providers.

(Ref F.S. 1003.01, 1003.21 and 1003.22)

- I. The Superintendent or designee is authorized to assign a student to any school or program as deemed by the Superintendent to be in the best interest of the student or school district. This paragraph does not apply to requests for special pupil assignment made by the student, parent or guardian.

J. **CHILDREN IN FOSTER CARE**

Maintaining the child's school stability while in out-of- home care is first priority, unless remaining in the school or origin is not in the best interest of the child. The below factors should be considered in determining whether or not a child remaining in the school of origin is in the child's best interest. Any decision that remaining in the school of origin is not in the child's best interest must be documented in FSFN and provided to the child's new school.

Best interest factors which must be considered include:

- 1. The child's desire to remain in the school of origin.
- 2. Was the preference of the child's parents or legal guardian considered?
- 3. Whether the child has a sibling(s), close friends, and/or a mentor at the school of origin.
- 4. The child's cultural and community connections in the school of origin.

5. The ability to implement a 504 Plan, I.E.P. or other special education services, if applicable.
6. The impact a change would have on academic credits and progress towards promotion.
7. The availability of extracurricular activities important to the child.
8. Course Offerings
9. The child's medical and behavior health needs.
10. The child's permanency goal and timeframe for achieving permanency.
11. The child's history of school transfers and how they have impacted the child.
12. The length of the commute and how it would impact the child.
13. Additional factors may be considered in making the best interest determination.

The District shall ensure, at the request of the Child Welfare Agency, transportation will be provided for a foster student to and from the school of origin as follows:

- a. If the foster student continues to live in the School Attendance Boundary in which the school of origin is located, transportation will be provided by applying the same transportation eligibility requirements in place.
- b. If a foster student is located outside the school attendance boundary, every reasonable effort will be made to provide transportation using the existing transportation resources which may involve using ESE buses, arranging transfers between buses and riding on buses serving other schools.
- c. If a foster student moves to an area served by another district, though continuing his or her education at the school of origin, the district of origin and the district in which the student resides must agree upon a method to apportion responsibility and costs for transportation to the school of origin.
- d. If the districts cannot agree upon such a method, the responsibility and costs must be shared equally.

(Adopted: 01/08/81)(Amended: 02/17/94, 09/21/06, 04/15/10)
(Ref. ESSA, Sections 1111 (G) (1), (E) and 1112 (C) (5))

4.07 STUDENT ADMISSION AND ENROLLMENT

A. Kindergarten and First Grade

1. Age Requirements, Kindergarten

- a. Children who will have attained the age of five years on or before September 1 of the school year shall be eligible for admission to public kindergarten during that school year.
- b. Evidence of Age – **NOTE:** See 4.06 H, for Homeless Students and 4.06 J, Children in Foster Care

Before admitting a child to kindergarten or first grade, the principal shall require evidence that the child has attained the age required in Section A.

1. a. or Section C.

If the first prescribed evidence is not available, the next evidence obtainable in the order set forth below shall be accepted: (Ref. F.S. 1003.21(1-7))

1. A duly attested transcript of the child's birth record, or
2. A duly attested transcript of a certificate of baptism showing the date of birth and place of baptism of the child, accompanied by an affidavit sworn by the parent, or
3. An insurance policy on the child's life, which has been in force for at least two (2) years, or
4. A bona fide contemporary Bible record of the child's birth, accompanied by an affidavit sworn by the parent, or
5. A passport or certificate of arrival in the United States, showing the age of the child, or
6. A transcript or record of age shown in the child's school record of at least four (4) years prior to application, stating date of birth, or
7. If none of these evidences can be produced, an affidavit of age sworn to by the parent, accompanied by a certificate of age signed by a public health officer or by a public school or a licensed physician, which certificate shall state the health officer or physician has examined the child and believes that the age stated in the affidavit is substantially correct.

The date of birth, so determined shall be recorded in the permanent record of each child entering kindergarten or first grade. The form of evidence for the birth date shall be noted and the parent's affidavit filed, if such affidavit is used as proof of age.

B. Early Admission to Kindergarten

No provisions for early admission to kindergarten exist.

C. First Grade

Any child who has attained the age of six (6) years on or before September 1, of the school year and who has been enrolled in a public school or who has attained the age of 6 years on or before September 1, and has satisfactorily completed the requirements for kindergarten in a non-public school shall be admitted to first grade.

(Ref. F.S. 1003.21)(Amended: 09/20/90)

D. Early Admission to First Grade

No provisions for early admission to first grade exist.

E. Health Examinations – **NOTE:** See 4.06 H, for Homeless Students and 4.06 J, Children In Foster Care

All “initial entry students” to a Florida school (preschool through grade 12) must present certification of a school entry health examination performed within the 12 months prior to enrollment. Any child shall be exempt from a health examination upon written request of the parent or guardian of such child stating objections to such examination on religious grounds.

(Ref. F.S. 1003.22(1))(Adopted: 07/01/81)(Amended: 10/08/81)

F. Immunizations – **NOTE:** See 4.06 H, for Homeless Students and 4.06 J, Children in Foster Care

Prior to admittance to or attendance in a public school (preschool through grade 12) each child shall present or have on file, a certificate of immunization for the prevention of those communicable diseases for which immunization is required by the Department of Health.

These provisions shall not apply if:

1. A request for religious exemption from immunization requirements is presented to the facility/school on a Department of Health Religious Exemption Immunization Form (DH 681) that has been officially approved by the Department of Health.
2. A physician licensed under the provisions of Chapter 458, Chapter 459 or Chapter 460 certifies in writing on forms approved and provided by the Department of Health that the child should be exempt from required immunization for medical reasons stated in writing, based upon valid clinical reasoning or evidence, demonstrating the need for the exemption at that time.

The presence of any of those communicable diseases for which immunization is required by the Department of Health in a Florida school shall permit the county health director or the health program officer staff director to declare a communicable disease emergency. The declaration of said emergency shall mandate that all children in attendance in the school who are not in compliance with the provisions of this section shall be identified by the School Board and the school.

Health and immunization records of such children shall be made available to the county health director. Those children identified as not being immunized against the disease for which the emergency has been declared shall be temporarily excluded from school until such time as specified by the county health unit director.

(Ref. F.S. 1003.22(5) (e))(Adopted: 07/01/81)(Amended: 08/21/97)

G. High School Enrollment

Any student who is enrolled in a secondary school shall present an official transcript of work or credit at the time of entrance. If the transcript is not presented, the student is tentatively enrolled on the basis of information available at the time of enrollment. Upon receipt of any official transcript, which indicates that the student is enrolled in the wrong subject or grade, the student shall be immediately withdrawn and re-enrolled in the appropriate grade or subject. The parents shall be so informed of such action.

(Ref. F.S. 1008.2)(Adopted: 01/08/81)(Amended: 08/21/97)

H. Entry into Kindergarten and First Grade by Out-of-State Transfer Students

1. Any student who transfers from an out-of-state public school and who does not meet regular age requirements for admission to Florida public schools shall be admitted upon presentation of the data required in subsection (3).
2. Any student who transfers from an out-of-state nonpublic school and who does not meet regular age requirements for admission to Florida public schools may be admitted if the student meets age requirements for public schools within the state from which he or she is transferring, and if the transfer of the student's academic credit is acceptable under rules of the School Board. Prior to admission, the parent or guardian must also provide the data required in subsection (3).
3. In order to be admitted to Florida Schools, such a student transferring from an out-of-state school must provide the following data:
 - a. Official documentation that the parent(s) or guardian(s) was a legal resident(s) of the state in which the child was previously enrolled in school.
 - b. An official letter of transcript from proper school authority which shows record of attendance, academic information, and grade placement of student.

- c. Evidence of immunization against communicable diseases as required in Section 1003.22, Florida Statutes.
- d. Evidence of date of birth in accordance with Section 1003.21, Florida Statutes.
- e. Evidence of a medical examination completed within the last twelve (12) months in accordance with Section 1003.22, Florida Statutes.

(Ref. F.S. 1003.21 & SBER 6A01.0985)(Adopted: 09/09/92)(Amended: 10/04/98)

I. Disclosure of Previous Discipline Offenses Required Upon Initial Registration

Each student at the time of initial registration into Clay County Schools shall note previous school expulsions, arrests resulting in a charge and juvenile justice actions the student have had. The registration form, completed by the student and parent at time of enrollment, shall accurately denote such incidences.

(Ref. F.S. 1006.07(1) (b))(Amended: 08/21/97)

J. Homeless Students – Documentation Required for School Entry

1. The term “homeless children and youths” means individuals who lack a fixed, regular and adequate nighttime residence and includes children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; children and youths who have a primary nighttime resident that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and migratory children (as such is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances describe above. (Also, referenced in 4.06 H STUDENT ASSIGNMENT)

2. Evidence of Date of Birth Requirements

Homeless students being admitted to pre-kindergarten or kindergarten are to be provided a 30-day temporary exemption from the evidence of date of birth requirements. (Ref. F.S.1003.22, effective 07/01/01)

3. Health Examination

Homeless students are to be provided a 30-day temporary exemption to attend class without documentation of the required school entry health exam. (Ref. F.S.1003.22, effective 07/01/01)

4. Immunizations

Homeless students are to be provided an exemption of 30 school days to attend class without documentation of the required immunizations. The public school health nurse is responsible for the follow-up until proper documentation or immunizations are obtained.

(Ref. F.S. 1003.22, effective 07/01/01) (Amended: 10/18/01, 09/21/06, 08/19/10)

4.08 **NON-RESIDENT STUDENTS**

A. Adult Acting in Place of Parents

1. The Superintendent of Clay County Schools may grant admission to a student whose parents or guardians are non-residents of Clay County if the student plans to live with a Clay County adult acting in-loco-parentis to the child, provided:
 - a. That the school's interests are not threatened with reference to over-crowding, disciplinary problems, et cetera, and providing;
 - b. That the child's interests are not threatened through evident child exploitation.
 - c. That the adult acting as in-loco-parentis be at least 21 years old. Exceptions may be made if the adult is a full-blooded brother or sister.
2. The principal shall investigate thoroughly the background of each case. If he/she finds that the school's interests and the child's interests are not threatened, he/she will inform the student and his/her adult sponsor that a bona fide in-loco-parentis relationship must be established. The effort to establish such a relationship may be pursued through the execution of a standard form. (Ref. F.S. 1000.21) (Adopted: 01/08/81)(Repealed 1994)

B. Non-Resident Foreign Students

The Enhanced Border Security and Visa Entry Reform Act of 2002, Public Law 107-173 (Border Security Act), enacted May 14, 2002, requires school systems to be certified by the Immigration and Naturalization Service (Service) in order to obtain access to the Student and Exchange Visitor Information System (SEVIS). School systems must enter Form I-17 and pay the \$230 fee, as well as, \$350 for an on-site review for approval and enrollment in SEVIS before issuing I-20s to F-1 Visa foreign students. An F-1 Visa foreign student may enroll in a school only if the Attorney General has approved the school system. Many public school systems, including the School District of Clay County, have chosen not to be certified by the Service, thus, becoming ineligible to issue I-20s to foreign students. Foreign students may still enter our school system through participation in an approved foreign exchange student program as detailed in the Progression through the Grades manual.

(Adopted: 01/08/81)(Amended: 10/08/81, 09/19/02, 01/16/02, 06/19/03, 08/18/03)

4.09 SECRET SOCIETIES

It is unlawful for any person, group or organization to organize or establish a fraternity, sorority, or other secret society whose membership is comprised in whole or in part of students enrolled in any public K-12 school or to go upon any public K-12 school premises for the purpose of soliciting any students to join such an organization.

(Ref. F.S. 1006.14(1) (Adopted: 01/08/81)

4.10 INTERVIEWS WITH STUDENTS

- A. No person other than an employee of the Clay County School Board should be allowed to interview a student at school except with the approval of the principal/designee, and in the presence of the principal/designee or the parent/guardian, if the principal deems it necessary to call the parent/guardian, except as specified below*.

Law enforcement officers shall not take a student from school unless: 1) they have a warrant of arrest for the student; or 2) the law enforcement officer has arrested the student based on probable cause; or 3) law enforcement officers have permission of the student's parent/guardian to remove the student from school. If a student is taken from school, by a law enforcement officer with a warrant of arrest or probable cause, the principal must notify the student's parents/guardians as quickly as possible.

- * The Department of Children and Families is required by law to promptly initiate an on-site protective investigation when reports are received from the Central Abuse Hotline. On-site visits and face-to-face interviews with the child shall be unannounced unless the department determines that such an unannounced visit would threaten the safety of the child. (Ref. F.S. 39.301)

All employees of the district School Board have an affirmative duty to comply with child protective investigations and all other provisions of law relating to child abuse, abandonment, and neglect. (Ref. CCSB Policy 4.13; F.S. 1006.061)

If the interviewer is a child protective investigator or a criminal investigator and the initial interview with the child is conducted at school, then the department or the law enforcement agency may allow, notwithstanding, the provisions of s.39.0132(4), a school staff member who is known by the child to be present during the initial interview if: 1) the department or law enforcement agency believes that the school staff member could enhance the success of the interview by his or her presence; and 2) the child requests or consents to the presence of the school staff member at the interview.

School instructional staff may only be present when authorized by this subsection. Information received during the interview or from any other source regarding the alleged abuse or neglect of the child shall be confidential and exempt from the provisions of s.119.07(1), except as otherwise provided by court order. A separate record of the investigation of the abuse, abandonment, or neglect shall not be maintained by the school or school staff member.

A child may be taken into custody by a law enforcement officer, or an authorized agent of the Department of Children and Families pursuant to F.S. 39.401.

B. Student Surveys

To comply with Family Educational Rights and Privacy Act (FERPA)(20 U.S.C. Section 1232g and 34 CFR Part 99) and the Protection of Pupil Rights Amendment (PPRA)(20 U.S.C. Section 1232h; 34 CFR Part 98), the School District of Clay County requires that prior to administration of student surveys parent notification is necessary, and;

- a. surveys that are part of an “applicable program” (funded in whole or in part by any program administered by the United States Department of Education [USDOE]) must have prior **written** consent of the parent for student participation;
- b. surveys created by a third party (funded by sources other than USDOE programs) do not require prior written parental consent but do require the opportunity for parents to opt out the student of participation;
- c. surveys must be made available at the participating local schools for inspection by parents regardless of the funding source.

(Ref. F.S.1003.31)(Adopted: 01/08/81)(Ref. F.S.415.505 (1) (J))(Ref. F.S.39.301, 39.401) (Amended: 10/18/01; 01/16/03; 03/20/03)

4.11 INITIATION AND HAZING

- A. All forms of hazing (crude haircuts, physical violence, etc.) in initiations shall be prohibited in clubs and organizations connected with the public schools of Clay County.
- B. Initiations may not be conducted on school property by non-school organizations.
- C. School initiations shall not require disrobing of students at any time.
- D. All initiations shall be formal functions open to the public, and no initiations shall be done in public, which will bring criticism to the school system, or be degrading to the student.
- E. All initiations shall be the direct responsibility of the principal of the school, and all initiation plans will be discussed with the principal and his staff, and a written copy of the initiation plans, showing the approval by the principal, shall be filed in advance in the school office.
- F. All organizations are included that are in any way considered school related organizations.
- G. Students guilty of violation of this policy shall be subject to suspension or expulsion, and the organization shall be suspended from school activities and school recognition.

(Ref. F.S. 1006.63(1))(Adopted: 01/08/81)

4.12 HEALTH AND SAFETY

A. The Board shall cooperate with the State and County Health Department and with the County Medical Association in providing health services for the schools. A faculty member shall be designated by the principal as School Health Coordinator.

B. Health Records

The principal shall be responsible for maintaining a health record for each student, which shall be started when the child first registers. Immunization history should be obtained and diseases and observable defects noted. The health record shall be a part of the Cumulative Guidance Record, which shall follow the child as he/she is promoted.

C. Each student who is entitled to admittance to kindergarten or any other initial entrance into a Clay County school, shall present a certificate of immunization for the prevention of those communicable diseases for which, immunization is required by the Division of Health. (Ref. F.S. Chapter 1003.22)

D. Student Illness

If a student becomes ill while at school, it shall be the duty of the teacher or the principal to isolate the student until such time as he/she can be removed to his/her home.

E. Processing a Do-Not-Resuscitate (DNR) Order

School personnel must be presented two (2) original Do-Not-Resuscitate (DNR) order forms by parents or legal guardians, one for the school and one for the Department of Public Safety. In addition, the teacher and the school nurse should have a copy (on goldenrod paper) on file. The Clay County Department of Public Safety will be notified, by letter, stating purpose of DNR order accompanied by the DNR order form. The parents/guardians will be presented with a copy of the School Board policy.

(NOTE: The DNR form must be pre-hospital Do-Not-Resuscitate order form [DH Form 1896 2/97] on yellow or goldenrod paper.)

The pre-hospital DNR orders which have been presented to School Board personnel will be kept with the student's health information and a copy on yellow or goldenrod paper will be kept by each teacher and school nurse who serves the child. The County Health Nurse for the school and the Clay County Safety Office will be notified of all DNR orders. All DNR information will be reviewed annually with parent or guardian. After the review, all appropriate personnel above will have a current copy.

In the case of emergency situation involving a student with a DNR order, the following steps should be followed:

1. Emergency procedures are initiated to alleviate potential danger to the student. This will include basic life sustaining interventions, if necessary.
2. Emergency medical personnel (EMP) will be contacted.

3. Parent(s)/Guardian(s) will be notified.
4. As soon as emergency medical personnel (non-school) arrive on the scene, any DNR orders for an individual student will be presented to the emergency medical personnel.
5. The non-school medical personnel will make decisions concerning the DNR order.
6. The patient will be transported by the EMP to a proper facility as determined by the EMP.

F. Exemption from Physical Education

A student who by reason of illness or disability is unable to participate in the more vigorous forms of activity in physical education will be assigned to modified activity with full credit upon recommendation of the attending physician. A student returning to school from absence due to severe illness or injury will be admitted as a convalescent under the observation of the teacher. The student should stay in the modified program until the physician who attended him/her states he/she is ready to participate in the regular program.

G. Parent Consent/Student Injuries

Each school should secure, from participants in contests and trips, the consent of the parents.

In case of student injury, first aid should be given immediately. The parent/guardian should be notified. In case of serious injury, medical assistance should be secured as soon as possible. (See Procedures and Policies Regarding School Health Services)

The Board has student accident insurance available for students, with the premium on such policy to be paid by the student or his parents/guardians.

H. First Aid Equipment

1. Each school shall be equipped with a complete first aid cabinet or kit, available for use at all times. A list of necessary supplies may be found in the clinic or it may be secured through the local County Health Department.
2. A separate and complete first aid kit shall be maintained in special areas, such as: separate buildings, science rooms, shops, school lunch kitchens, and physical education areas.

I. Medication for Students

1. For each over-the-counter or prescribed medication, the student's parent or guardian shall provide to the school principal a proper written authorization, which shall grant the principal or his designee the permission to assist in the administration of each prescribed or over-the-counter medication to be provided during the school day, including when the student is away from school property on official school

business. The school principal, or his trained designee, shall assist the student in the administration of such medication.

THERE ARE ADDITIONAL REQUIREMENTS FOR PRESCRIBED MEDICATIONS REGARDING THE ADMINISTRATION OF NARCOTICS FOR PAIN MANAGEMENT. THE FOLLOWING STEPS MUST BE TAKEN:

- a. All medication must be labeled with the student's name, dosage, frequency of administration, and physician's name.
- b. Both parties (parent/guardian and nurse/health designee) shall sign the narcotics medication log to verify initial count.
- c. All narcotics shall be stored in a locked container. This container shall be secured by placing in a locked cabinet/drawer. The school nurse/health designee/principal shall retain possession of medication keys.
- d. Narcotics shall be counted and signed off each day to account for all doses given. This count shall be performed by two persons to include the nurse and designated school personnel.
- e. There shall be no liability for civil damages as a result of the administration of such medication where the person administering such medication acts as an ordinarily reasonable, prudent person would have acted under the same or similar circumstances.
- f. Appropriate school personnel (i.e., teacher) should be advised that the child has been medicated and may exhibit adverse reactions to the drug. Specific possibilities of adverse reactions should be described according to the drug.
- g. All unused doses shall be disposed of as follows:
 1. A dose that becomes contaminated or is otherwise rendered unusable shall be disposed of through a reversed distributor arrangement. If this option is unavailable, dispose of via the municipal sewer system. This will be witnessed by the school nurse and designated school personnel and documented in the narcotics medication log. Parent/guardian will be notified of wasted dose.
 2. All unclaimed doses shall be disposed of via the reversed distributor arrangement after a reasonable amount of time. If this option is unavailable, dispose of via the municipal sewer system. This will be witnessed by the school nurse and designated school personnel and documented in the narcotics medication log. Parent/guardian will be notified of wasted dose.
- h. Students who require administration of narcotics (used for pain management) during a field trip shall not be allowed to participate unless escorted by a parent or legal guardian.
- i. No medicine will be administered to students enrolled at the Career and Technical Education Child Care Center unless it is for a life threatening condition (i.e., asthma nebulizer, medication for seizures). The medication must be accompanied by a medication form filled out by the prescribing physician. A copy of the order is to be maintained in the classroom and the school clinic.

2. Medication must be delivered to school by the parent/guardian in the original containers. All medications to be administered by school personnel shall be received, counted, and stored in the original containers. The medication authorization form must be signed by the parent/guardian. Students who are self-administering non-prescription medications in school will be required to furnish an authorization form signed by their parents. Students who are self-administering prescribed medication in school will be required to furnish an authorization form signed by the parent/guardian and physician stating name, purpose, and dosage of medication. These medications will be maintained in a locked cabinet in the health room, or in a location designated by the principal. Exceptions can be made for allowance of emergency medication to be carried with the student; however, medication must be registered with the school. (See local Appendix to the Code of Conduct Student/Parent Handbook District Information and Procedures and Policies Regarding School Health Services.)

J. Reporting Injuries

A report of all student injuries should be made immediately to the principal; a report of all serious injuries should be made by the principal to the Superintendent. Records of all injuries must be kept in each school on report forms provided.

K. Compensation for Student Injuries

State law makes no provision for payment of public school tax money for care for injuries sustained by students.

L. Safety

The principal shall provide for the safety of students. The organization of school patrols shall be encouraged as a valuable aid to safety on and around school grounds.

The principal is responsible for the elimination or reporting of hazards. Every member of the school staff shall assist with this responsibility.

The school shall cooperate with the police, sheriff's department, fire department, and other agencies promoting safety education.

M. Playground Supervision

It is the responsibility of the principal to arrange for adequate supervision of playgrounds at all times. Careful attention should be given to the prevention of accidents and to the development of the habits of good citizenship.

N. Supervision Before and After School

During the established school day, students who wait for their parents or school buses in the afternoon shall be under the supervision of the principal or a faculty member.

O. Industrial Education Shop Safety

Guards must not be removed from the machines. Goggles or eye shields must be used during operation of all power equipment or hand tools, kiln firing of metals or other materials, welding equipment, or when working with hot liquids/solids/caustic or explosive materials.

During the instructor's absence from the shop, power switches must be thrown off and locked. Machinery must not be operated unless the instructor is supervising its use.

The shop shall not be open during lunch period or other activity periods unless the instructor is present.

In case of an accident, the instructor shall notify the principal immediately and file an accident report.

A substitute teacher shall not operate machinery or supervise its use unless properly certified.

A first aid cabinet shall be kept in all shops. The cabinet shall be properly labeled and stocked with appropriate supplies.

(Ref. F.S. 239.221)

P. Use of Metal Detectors

School officials or law enforcement officers may conduct metal detector checks of groups of individuals if the checks are done in a minimally intrusive, nondiscriminatory manner (e.g., on all students in a randomly selected class; on every third individual entering an athletic event). Metal detector checks of groups of individuals may not be used to single out a particular individual or category of individuals.

If a school official or a law enforcement officer has reasonable suspicion to believe that a particular student is in possession of an illegal or unauthorized metal container, object or weapon, he or she may conduct a metal detector check of the student's person and personal effects.

A student's failure to permit a metal detector check as provided in this policy will be considered grounds for disciplinary action, including suspension.

The Superintendent shall develop procedures for implementing this policy. (These procedures are found in the Administrative Procedures Handbook.)(F.S. 1006.09(a)

(Adopted: 08/18/94)(Amended: 10/18/01, 04/15/10)

4.13 CHILD ABUSE/SEXUAL BATTERY

A. Reporting Information

1. All employees or agents of the Clay County School Board have: an affirmative duty to report immediately to the Department's Central Abuse Hotline, all actual or suspected cases of child abuse, abandonment, or neglect; immunity from liability if they report such cases in good faith; and a duty to comply with child protection investigations and all other provisions of law relating to child abuse and neglect.

(Ref. F.S. 1006.061, 39.201)
2. All schools will post in a prominent place the report of child abuse notice, pursuant to F.S. Chapter 39, including the state wide toll free telephone number of the Central Abuse Hotline. (1-800/96-ABUSE or 1-800/962-2873)
3. The Superintendent's designee will act as a liaison to the Department of Children & Families and Child Protection Team as required by Florida Statutes. (Ref. F.S. 1006.061)
4. "A person who is required by F.S. 39.201 to report known or suspected child abuse or neglect and who knowingly and willfully fails to do so, or who knowingly and willfully prevents another person from doing so, is guilty of a misdemeanor of the first degree, punishable or provided in F.S. 775.082 or F.S.775.083" and (4) ...
"Anyone making a report who is acting in good faith is immune from any liability under this subsection." (Ref. F.S. 39)
5. The Department (of Children and Families) must consider valid and accept for investigation any report received by the central abuse hotline from a ... teacher or other professional school official ..., who is acting in his or her professional capacity, alleging harm as defined in S.39.01. (Ref. S. 39.201(2) (b))
6. Any person specifically listed in S.39.201(1) who makes a report in his or her official capacity may also request a written summary of the outcome of the investigation. (Ref. S.39.202 (4))

B. Definitions

Refer to F.S. 39.01 for the following definitions that apply to child abuse concerns:

1. "CHILD" or "youth" means any unmarried person under the age of 18 years who has not been emancipated by order of the court.
2. "ABUSE" means any willful act or threatened act that results in any physical, mental, or sexual injury or harm that causes or is likely to cause the child's physical, mental, or emotional health to be significantly impaired. Abuse of a child includes acts or omissions. Corporal discipline of a child by a parent or legal custodian for disciplinary purpose does not in itself constitute abuse when it does not result in harm to the child.

3. “NEGLECT” occurs when a child is deprived of, or is allowed to be deprived of, necessary food, clothing, shelter, or medical treatment or a child is permitted to live in an environment when such deprivation or environment causes the child’s physical, mental, or emotional health to be significantly impaired or to be in danger of being significantly impaired. The foregoing circumstances shall not be considered neglect if caused primarily by financial inability unless actual services for relief have been offered to and rejected by such person. A parent or legal custodian legitimately practicing religious beliefs in accordance with a recognized church or religious organization who thereby does not provide specific medical treatment for a child shall not, for that reason alone, be considered a negligent parent or legal custodian; however, such an exception does not preclude a court from ordering the following services to be provided, when the health of the child so requires:
 - a. Medical services from a licensed physician, dentist, optometrist, pediatric physician, or other qualified health care provider, or
 - b. Treatment by a duly accredited practitioner who relies solely on spiritual means for healing in accordance with the tenets and practices of a well-recognized church or religious organization.

Neglect of a child includes acts or omissions.

4. “ABANDONED” means a situation in which the parent or legal custodian of a child or, in the absence of a parent or legal custodian, the caregiver responsible for the child’s welfare, while being able, makes no provision for the child’s support and makes no effort to communicate with the child, which situation is sufficient to evince a willful rejection of parental obligations. If the efforts of such parent or legal custodian, or caregiver primarily responsible for the child’s welfare, to support and communicate with the child are, in the opinion of the court, only marginal efforts that do not evince a settled purpose to assume all parental duties, the court may declare the child to be abandoned. The term “abandoned” does not include an abandoned newborn infant as described in S. 383.50, a “child in need of services” as defined in chapter 984 or a “family in need of services” as defined in chapter 984. The incarceration of a parent, legal custodian, or caregiver responsible for a child’s welfare may support a finding of abandonment.
5. “HARM” to a child’s health or welfare can occur when any person:
 - a. Inflicts or allows to be inflicted upon the child physical, mental, or emotional injury. In determining whether harm has occurred, the following factors must be considered in evaluating any physical, mental, or emotional injury to a child; the age of the child; any prior history of injuries to the child; the location of the injury on the body of the child; the multiplicity of the injury; and the type of trauma inflicted. Such injury includes, but is not limited to:

1. Willful acts that produce the following specific injuries:
 - a. Sprains, dislocations, or cartilage damage
 - b. Bone or skull fractures
 - c. Brain or spinal cord damage
 - d. Intra-cranial hemorrhage or injury to other internal organs
 - e. Asphyxiation, suffocation, or drowning
 - f. Injury resulting from the use of a deadly weapon
 - g. Burns or scalding
 - h. Cuts, lacerations, punctures, or bites
 - i. Permanent or temporary disfigurement
 - j. Permanent or temporary loss/impairment of a body part or function

As used in this subparagraph, the term “willful” refers to the intent to perform an action, not to the intent to achieve a result or to cause an injury.

2. Purposely giving a child poison, alcohol, drugs, or other substances that substantially affect the child’s behavior, motor coordination, or judgment, or that result in sickness or internal injury. For the purposes of this subparagraph, the term “drugs” means prescription drugs not prescribed for the child or not administered as prescribed, and controlled substances as outlines in Schedule I or Schedule II of S. 893.03.
3. Leaving a child without adult supervision or arrangement appropriate for the child’s age or mental or physical condition, so that the child is unable to care for the child’s own needs or another’s basic needs or is unable to exercise good judgment in responding to any kind of physical or emotional crisis.
4. Inappropriate or excessively harsh disciplinary action that is likely to result in physical injury, mental injury as defined in this section, or emotional injury. The significance of any injury must be evaluated in light of the following factors: the age of the child; any prior history of injuries to the child; the location of the injury on the body of the child; the multiplicity of the injury; and the type of trauma inflicted. Corporal discipline may be considered excessive or abusive when it results in any of the following or other similar injuries:

- a. Sprains, dislocations, or cartilage damage
 - b. Bone or skull fractures
 - c. Brain or spinal cord damage
 - d. Intra-cranial hemorrhage or injury to other internal organs
 - e. Asphyxiation, suffocation, or drowning
 - f. Injury resulting from the use of a deadly weapon
 - g. Burns or scalding
 - h. Cuts, lacerations, punctures, or bites
 - i. Permanent or temporary disfigurement
 - j. Permanent or temporary loss/impairment of a body part or function
 - k. Significant bruises or welts
- b. Commits, or allows being committed, sexual battery, as defined in chapter 794; or lewd or lascivious acts, as defined in chapter 800, against the child.
 - c. Allows, encourages, or forces the sexual exploitation of a child, which includes allowing, encouraging, or forcing a child to:
 - 1. Solicit for or engage in prostitution; or
 - 2. Engage in a sexual performance, as defined by Chapter 827.
 - d. Exploits a child, or allows a child to be exploited, as provided in s.450.151.
 - e. Abandons the child. Within the context of the definition of “harm”, the term “abandons the child” means that the parent or legal custodian of a child or, in the absence of a parent or legal custodian, the person responsible for the child’s welfare, while being able, makes no provision for the child’s support and makes no effort to communicate with the child, which situation is sufficient to evince a willful rejection of parental obligation. If the efforts of such a parent or legal custodian or person primarily responsible for the child’s welfare to support and communicate with the child are only marginal efforts that do not evince a settled purpose to assume all parental duties, the child may be determined to have been abandoned. The term “abandoned” does not include an abandoned newborn infant as described in s. 383.50.
 - f. Neglects the child. Within the context of the definition of “harm”, the term “neglects the child” means that the parent or other person responsible for the

child's welfare fails to supply the child with adequate food, clothing, shelter, or health care, although financial able to do so or although offered financial or other means to do so. However, a parent or legal custodian who, by reason of the legitimate practice of religious beliefs, does not provide specified medical treatment for a child may not be considered abusive or neglectful for that reason alone, but such an exception does not:

1. Eliminates the requirement that such a case be reported to the department.
 2. Prevent the department from investigating such a case; or
 3. Preclude a court from ordering, when the health of the child requires it, the provision of medical services by a physician, as defined in this section, or treatment by a duly accredited practitioner who relies solely on spiritual means for healing in accordance with the tenets and practices of a well-recognized church or religious organization.
- g. Exposes the child to a controlled substance or alcohol. Exposure to a controlled substance or alcohol is established by:
1. Use by the mother of a controlled substance or alcohol during pregnancy when the child, at birth is demonstrably adversely affected by such usage; or
 2. Continued chronic and severe use of a controlled substance or alcohol by a parent when the child is demonstrably adversely affected by such usage.
- As used in this paragraph, the term "controlled substance" means prescription drugs not prescribed for the parent or not administered as prescribed and controlled substances as outlined in Schedule I or Schedule II of s.893.03.
- h. Uses mechanical devices, unreasonable restraints, or extended periods of isolation to control a child.
 - i. Engages in violent behavior that demonstrates a wanton disregard for the presence of a child and could reasonably result in serious injury to the child.
 - j. Negligently fails to protect a child in his or her care from inflicted physical, mental, or sexual injury caused by the acts of another.
 - k. Has allowed a child's sibling to die as a result of abuse, abandonment, or neglect.

- I. Makes the child unavailable for the purpose of impeding or avoiding a protective investigation unless the court determines that the parent, legal custodian, or caregiver was fleeing from the situation involving domestic violence.

(Ref. F.S. 39.01, 1001.42(1)-(4), 1012.22(5), 1006.07(6), 1006.28(7), 1006.21(8), 1001.42(9)-(20) & (22) (Adopted: 01/08/81) (Ref. F.S. 39.01 1006.061, 236.0811, 415, 775.082, 75.083) (Ref. F.S. 39.201, 39.202, 39.01) (Amended: 10/18/01)

4.14 MARRIED STUDENTS AND PREGNANT STUDENTS

Married students and students who are parents are required to attend school until they attain the age of 16 years. Students who are married, who are pregnant or who have had children cannot be prohibited from attending school and they must receive the same instruction as other students except that these students may voluntarily be assigned to a program designed to meet their special needs. Parents may be exempted from compulsory school attendance if they do not have access to child care, provided that the Superintendent certifies that child care is not available within the school system or through the Florida Subsidized Child Care Program.

(Ref. F.S. 1003.21)(Adopted: 01/08/81)(Amended: 08/19/93)

4.15 TOBACCO AND ALCOHOLIC BEVERAGES

The use of tobacco and alcoholic beverages during the school day and when in attendance at activities sponsored by the school is prohibited.

(Ref. F.S. 1006.07(d)) (Adopted: 01/08/81)

4.16 RELEASE OF STUDENT DURING SCHOOL DAY

Release of students during the school day is permissive providing the student:

- A. Has written permission from his parent(s)/guardian(s), approved by the principal.
- B. Has written permission from the principal or someone designated by the principal.

Principals should advise students, parents/guardians, physicians, and dentists that appointments with students during class time should only be made in cases of emergency. In such cases, students should be excused provided written permission from the parent is submitted.

- C. In the event the parent(s)/guardian(s) of an enrolled child are divorced or separated, and the principal is aware of this circumstance, the principal should advise the parent/guardian who has legal custody of the child, that release of the child during the school day will not be permitted unless the parent/guardian with legal custody permits such release in writing.

If, under the divorced/separated condition, a legal custody award has not been ordered by a court of competent jurisdiction, the principal should advise the parent/guardian who has physical custody at the time of enrollment of the child into the present school year that the child may be released without that parent's/guardian's written permission.

Any teacher or other school employee who is confronted with a request from a parent/guardian for release of his/her child under circumstances, which seem to indicate a divorced/separated situation shall refer the matter to the office of the principal for resolution. Except in unusual circumstances, the school area will not be used by a divorced/separated parent/guardian for the exercise of his/her visitation privileges which is granted under a separation agreement or court order.

(Ref. F.S. 1001.43)(Adopted: 01/08/81, 08/17/06)

4.17 ADMINISTRATIVE POLICIES RESPECTING TEACHER PERSONNEL, AGENTS, SOLICITORS AND SALESMEN

It is not good policy to exclude all agents from the school, for there are legitimate and necessary calls from business and professional representatives. The principal must use his/her judgment as to the merit of such calls. In general, principals must decline all forms of canvassing of teachers, students, and school committees for any business not specifically permitted by the Superintendent or his/her designated representative, in writing.

(Ref. F.S. 1001.41)(Adopted: 01/08/81)

4.18 ADVERTISING OR SELLING IN SCHOOLS

- A. Advertising: Schools are not to be used as agencies for the distribution of advertising materials to students unless the materials: a) have clear educational value; or b) represent a matter of public interest promoted by a non-profit organization; or c) promote an approved fund-raising event sponsored by a school or the school system. Materials meeting this criteria may be distributed to students only after the sponsoring agency has completed the proper form and received approval from the Superintendent or his/her designee. At the discretion of the building administrator, free materials may be accepted for classroom and school purposes under conditions that meet all of the following criteria:
1. The materials should be of the type that teachers or staff seek, not materials that are thrust upon them to promote the interests of an outside agency.
 2. The material should support the school curriculum.
 3. The selfish or private purpose of the sponsor should not be prominent or dominant in the material being donated.
 4. The advertising feature of the material should not be blatant.
 5. No material should be distributed that violates the attitudes, which are recognized as ideals of the school system or of our society.
 6. If films, video tapes or other media are donated, they shall be accepted only if the commercial advertising of the sponsor is minimal.

- B. Employee Mailbox Access: Mail slots of employees are made available for the distribution of materials and documents that serve a legitimate business purpose of the Clay County School Board. Outside agencies may not be allowed to insert materials into employee mail slots except under the following conditions:
1. The agency or organization is a non-profit entity representing a cause generally recognized as a legitimate issue of public interest to the District's employees, or
 2. The agency or organization is engaged in a fund-raising effort with a school or the school system and the principal elects to advertise the event through employee mail slots, and;
 3. The agency or organization has properly completed a "Mailbox Access Request" form and has received an affirmative response from the Superintendent or his/her designee authorizing distribution of materials in employee mail slots.
- C. Agents, Solicitors, and Salesmen
1. Insurance Agents: Insurance representatives, visiting the school for the purpose of canvassing personnel, should be admitted by the principal only if their names appear on the list of approved insurance companies, which is sent annually by the Superintendent or his/her designee to all principals.
 2. Other Solicitors and Salesmen: School calls from business and professional representatives shall be handled according to the principal's discretion.
 3. Meetings with Personnel: If, in the principal's judgment, insurance agents and other professional and business representatives have legitimate reasons for canvassing school personnel, such meetings shall be scheduled so as not to interfere with the duties of the personnel. When the business to be transacted affects the teacher individually and not the school as a whole, such meetings will be optional for personnel.
 4. Endorsement of Products: School personnel should not endorse products or services unless they clearly state that the endorsement is strictly personal and does not imply an endorsement by the school system.
- D. The only companies that may come on School Board property to sell equipment or services to students are those engaged in selling school pictures or class rings. Book companies conducting book fairs at schools may not sell books at the fair. (They will not sell books no matter whether the school or a school related organization receives profits on the sale price.)
- E. The public schools are authorized to sell through the respective school offices: notebook paper, pencils, and other school supplies for the convenience of the students who may have difficulty in getting to town to make purchases of such supplies.

(Ref. F.S. 1001.41) (Adopted: 01/08/81) (Amended: 10/16/97)

4.19 THE FLAG PLEDGE OF ALLEGIANCE/MEDITATION

- A. A Pledge of Allegiance to the flag shall be recited at the beginning of each school day in elementary and secondary schools.
 - 1. A student may be excused from reciting the Pledge of Allegiance when his/her parent(s) or legal guardian files a written request with the school principal.
 - 2. The form of the Pledge of Allegiance to the flag shall be pursuant to Section 1003.44, Florida Statutes.
- B. During these opening exercises, a period of time not to exceed two minutes may be provided for silent prayer or meditation.

(Ref. F.S. 1003.44; 233.062)(Adopted: 01/08/81)(Amended: 12/10/87)

4.20 COMPLAINTS AND/OR APPEALS

If misunderstandings arise between parents and teachers over student/teacher relations or other educational matters, parents may obtain information leading to a conference with the teachers concerned by telephoning the principal's office.

Questions arising from misunderstanding other than those covered below should be directed to the principal of the school. With respect to educational matters, the order of appeal shall be from student to teacher, from teacher to principal, from principal to the Superintendent, and from the Superintendent to the District School Board.

Orders to appeal as described above should not be construed by any student, teacher, or other staff member to mean that he is not free to approach the Superintendent or the District School Board whenever he so desires.

IDEA Due Process Procedures are available to ESE Parents

(F.S. 236.025)

4.21 FUND RAISING PROJECTS

Schools shall not participate in contests sponsored by organizations or agencies unless authorized by the Superintendent. Popularity contests where the winner is decided on the basis of monetary vote is forbidden. Schools may participate in community fund drives only with the approval of the Superintendent.

No entertainments are permitted on school property during school hours other than those sponsored by the school. Ticket sales for non-school activities shall not be carried on in the schools.

Schools may not participate in fund raising projects that involve house to house solicitations such as candy sales, et cetera. The sale of advertisement in high school annuals and fund raising activities by PTA and other groups on the school campus is acceptable. Secondary students, 7-12, may also sell subscriptions to reputable magazines. No student will be

compelled to sell anything in order to be a member of a club, band, or other organization in the school.

Principals are authorized to accept contributions from individual students for the purpose of purchasing instructional materials only as directed by the Superintendent and School Board.

(Ref. 1001.42)(Adopted: 01/08/81)(Amended: 03/21/91)

4.22 DAILY PROGRAMS AND LESSON PLANS

- A. At the beginning of each quarter, teachers should make a basic outline of material to be covered during the period in addition to having a weekly outline of prospective activities.
- B. Teachers shall be required to keep and have available for the principal weekly lesson plans. This will ensure for teachers and students an organized plan of work. It also facilitates the work of a substitute.

(Ref. F.S. 1012.53, 230.23(4) (K)) (Adopted: 01/08/81)

4.23 DRIVER EDUCATION

Driver Education shall be provided by the District School Board. The course shall consist of instruction in the safe and lawful operation of a motor vehicle. All regulations as prescribed by law shall be followed.

(Ref. F.S. 1003.48)(Adopted: 01/08/81)

Students shall be given information, which encourages compliance with the safety belt usage law.

(Ref. F.S. 1003.48) (Adopted: 01/08/87)

4.24 STUDENT PROGRESSION

- A. In accordance with Florida Statutes 1008.25, the Superintendent and the administrative staff of the school system shall develop and recommend to the School Board, a comprehensive plan for student progression through the grades. This plan shall be designated the Student Progression Plan for Clay County Schools and it shall include at least the following provisions:
 - 1. The Plan shall ensure the placement of each student in the subjects in the grade level, or in the special program best suited to meet the student's academic needs, with consideration given to the student's social, emotional, and physical development.
 - 2. The Plan shall reflect clearly that promotion in the Clay County public schools is based primarily on student achievement.
 - 3. The professional teaching staff of the school shall be identified in the Plan as the persons having primary responsibility for recommending the student promotion,

retention, and special placement; however, the principal shall be identified as the person making the final decision in regard to grade placement.

4. The Plan shall identify minimum standards in the basic skills of reading, writing, and mathematics.
 5. The Plan shall provide for accelerating the progression through the grades for students who exhibit an exceptionally high degree of ability and achievement.
 6. Provisions shall be made to seek parent understanding, cooperation, and acceptance of the student's promotion or non-promotion.
- B. By July 1, 1978-79, the Superintendent and the administrative staff of the school system shall have developed and recommended to the School Board standards for graduation from the high schools of Clay County. These standards shall include at least the following provisions:
1. Mastery of basic skills as determined by the state.
 2. Satisfactory performance in functional literacy as determined by the state.
 3. Completion of a minimum number of credits.
 4. The awarding of certificates of attendance to those students who are unable to meet the graduation standards.

(Ref. F.S. 1003.43, 1003.438)(Adopted: 01/08/81)

4.25 RECORDS AND REPORTS

A. Report Cards

Report cards will be distributed following the closing of the grading period and as designated on the current school calendar. Report cards will not be withheld from parents for any reason. The marking system will be in accordance with the currently adopted report cards.

ESE students may receive a specially designed ESE report card.

B. Student Records and Reports; Rights of Parents & Students Procedures

See Clay County Public Schools District Policies and Procedures Manual on Student Records. Revised September 2001.

(Ref. F.S. 1002.22; 1001.41; 1001.42(1)-(4); 1012.22(5); 1006.07(6); 1006.28(7); 1006.21(8); 1001.42(9)-(20) & (22); 1003.25; 1001.23; 119.07) (Adopted: 01/08/81) (Amended: 12/13/93)

C. Juvenile Records of Students

Inquiries by school personnel concerning student criminal records shall be made only to the Student Services Department which shall be solely responsible for the retention, maintenance, and use of such information. Such information shall be subject to the same limitation of use as are juvenile records as defined under Florida Statutes 119, PUBLIC RECORDS; 39.037 taking a child into custody; 39.045 Oaths, records, confidential information.

4.26 SOLICITATION OF STUDENTS, TEACHERS OR PARENTS

- A. There shall be no solicitation or interviewing of students or school personnel while they are under the supervision of the District School Board without approval of the Superintendent or designated representative, with two exceptions.
1. Law enforcement officials may interview a student on school premises with the principal or designee present, whenever feasible, during the interview. The parents must be notified as soon as possible. The law does not prohibit questioning of a child by law enforcement prior to notification being given to a parent.
 2. Florida Statute 1006.061(1) requires all employees and agents of the district school board to comply with child protective investigations and all other provisions of law relating to child abuse, abandonment, and neglect.
- B. Agents desiring to visit the schools must first obtain written authorization from the Superintendent or his designated representative.
- C. Teachers may not engage in the selling of books, encyclopedias, musical instruments, or other materials to students or parents for personal profit in the areas served by the schools in which they teach.

(Ref. F.S. 1001.43) (Adopted: 01/08/81, Amended: 05/18/06)

4.27 SUMMER PROGRAM

- A. Summer academic and enrichment programs may be provided for eligible students in the county.
- B. If the summer programs are provided, all regulations and reports as prescribed by the Department of Education shall be maintained.

(Ref. F.S. 1001.41, 1001.43)(Adopted: 01/08/81)

4.28 SCHOOL TRIPS – TRANSPORTING STUDENTS

- A. Transporting students via district school buses, common carrier or private vehicles.
1. Use of district school buses requires approval by the Superintendent or designee. (See Policy 6.83, this manual – Extracurricular Use of School Buses for details.)

2. The School Board, via the Superintendent, must approve all out-of-state and overnight travel for students prior to the event, if possible.
3. Whenever students are to be transported to school sponsored functions out-of-state, common carriers (airline, train or interstate buses) shall always be the preferred form of transportation. However, in such instances where it is not possible or feasible to use common carriers, privately owned vehicles may be utilized provided that the following requirements are complied with, to-wit:
 - a. The transportation is approved by the Risk Manager and, by either the Superintendent or the Deputy Superintendent, which power shall not be delegated.
 - b. Each student's parent is notified, in writing, regarding the transportation arrangement and gives written consent before the student is transported in a privately owned vehicle.
 - c. When transportation is authorized in privately owned vehicles, students may be transported only in designated seating positions and must use the occupant crash protection system provided by the vehicle manufacturer.
 - d. Each privately owned vehicle used to transport students pursuant to this policy shall have in full force and effect, a policy of automobile insurance with the following minimum coverage:

Bodily Injury Liability limits of \$25,000 per person, \$50,000 per accident.

- B. Transporting students in private vehicles, inside the state and out of the state.
 1. The use of MIS form 13603, "Authorization for Use of Private Vehicles on Field Trips," is required. The principal shall assure that the MIS form is completed and signed and all rules stipulated within the form are followed.
 2. All school trips involving transporting students off campus shall have a signed parental consent form from all students involved.

(Amended: 03/15/01; 05/19/05)

C. CHAPERONES ON SCHOOL TRIPS

Chaperones on school trips who are not employees of the School Board may be used and be considered "Agents of the Board", provided they are so designated, in writing, by the school principal and are registered volunteers. Chaperones shall not take the place of teachers or other School Board employees normally assigned. Overall, the adult to student ratio should be 10:1 or less. Schools have at their discretion the ability to determine the number of chaperones (non-School Board employees) for each event as long as the school meets the minimum adult/student ratio. Principals are cautioned to be certain that chaperons are of legal age and are competent and capable individuals.

1. Chaperones/volunteers may not bring preschoolers or children who are not registered at the school for which they are volunteering on the trip.
2. Chaperones/volunteers must be appropriately dressed at all times.
3. Chaperones/volunteers are responsible for student safety above all else and must report to someone in authority any safety concerns or emergency issues relating to students.
4. Chaperones/volunteers must always serve as positive role models using appropriate language and discussing only age-appropriate matters with students.
5. Chaperones/volunteers are to follow the instructions given by the person in charge of the event.
6. Chaperones/volunteers must be at least 18 years of age or older.
7. Chaperones/volunteers on out-of-town or overnight trips assume 24 hour-a-day responsibility and are always considered “on duty.”
8. Chaperones/volunteers must remain with the group at all times, are prohibited from consuming alcoholic beverages or mood altering chemicals at any time, and should refrain from smoking and using any tobacco products(s) including e-cigarettes in the presence of students.

(Ref. F.S. 1001.41)(Amended: 04/18/96)(Amended: 05/04/17)

4.29 VISITS IN THE SCHOOLS

- A. The Board encourages patrons to visit the schools as often as practical. When visiting in a school, patrons, for their convenience, should contact the principal’s office for information and guidance services.
- B. Unauthorized persons who frequent school premises without the written permission of the Superintendent may be removed by law enforcement officers, provided said persons refuse to leave peacefully after having been asked to leave by school officials.

(Ref. F.S. 1001.41)(Adopted: 01/08/81)

4.30 CHANGES IN CURRICULUM

- A. When a principal wishes to make a change in any aspect of the school program, which involves a departure from the regular county-wide program, the proposed plan must be submitted, in writing, to the District Office no later than May 1, if the change is desired for the following year. The plan will be studied and approved, disapproved, or returned for further study, amplification, or revision. If approval is given, it will be on a temporary basis, and continuation will be dependent upon the outcome of the evaluation of the project.
- B. Changes in the courses of study or classes offered, the length of class periods, and special grouping (not within classes), are examples of projects, which must be submitted for approval. In requesting such changes, the principal must first submit a statement, which outlines:
 1. The change, which is proposed,
 2. The reason this change is desired,

3. The procedure by which this change will be made,
4. How the project will be evaluated.

(Ref. F.S. 1001.41) (Adopted: 01/08/81)

4.31 SPECIAL EDUCATION PROGRAMS

- A. The Clay County School Board shall offer special instruction, facilities and services for students who are exceptional children. An exceptional child is any child or youth who has been determined eligible for a special program in accordance with State Board of Education Rules. The term “exceptional students” includes students who are mentally handicapped, speech and language impaired, hearing impaired, visually impaired, emotionally handicapped, specific learning disabled, gifted, hospital and homebound, deaf-blind, developmentally delayed, dual sensory impaired, orthopedically impaired, other health impaired, traumatic brain injured, and severely emotionally disturbed.
- B. The identification, evaluation, staffing, and education of qualified exceptional students shall be in keeping with the Special Programs and Procedures for Exceptional Students/ Policies for the Provision of Specially Designed Instruction and Related Services. No student shall be given special instruction or services until he/she is properly evaluated, classified and placed as an exceptional student.
- C. In providing for the education of exceptional students, the Superintendent, principals and teachers shall utilize the regular facilities and adapt them to the needs of exceptional students to the maximum extent appropriate. Segregation of exceptional students occurs only when the nature of severity of the exceptionality is such that education in the regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.
- D. The principal of the school in which the student is taught shall keep a cumulative record on each exceptional student. This record shall be available for inspection by school officials at any time.
- E. School Board of Clay County establishes the policy for the use of Seclusion Time-Out Rooms. This policy expressly permits the use of seclusion time-out rooms, under the following conditions:

Seclusion time-out may not be used unless the student’s current Individual Educational Plan (IEP) contains a statement in the present level of educational functioning section, specifying the use of seclusion time-out. Seclusion time-out shall not be used unless the parent provides written consent for its use, on the district prescribed consent form for seclusion time-out.

1. Secured seclusion time-out rooms shall be equipped with doors, which allow egress at all times in the event of an emergency.

2. There is only one locking device, which is allowable, and that is an electro-magnetic locking device. The lock shall remain engaged only when the human hand continuously depresses a push bottom mounted outside the time-out room within 12 inches of the doorframe. Upon release of pressure, the door shall unlock. The locking device shall be designed so that it cannot be engaged by leverage of an inanimate object or in any manner except by constant human contact. The push bottom shall be recessed from the face of the unit housing, or in some other way designed to prevent taping or wedging the button in the engaged mode. The device shall have an interface with the fire alarm system and shall automatically release and disengage upon activation of the fire alarm. The locking device shall automatically release and disengage in the event of power failure. A timer shall not be used on the locking device.
3. Door Requirements: The door shall have only a push panel exposed on the interior of the room. After the approval date of this policy, a vision panel shall be provided in the door, and it shall be no larger than 12" x 12" (144) square inches. The view panel shall consist of clear one-quarter inch thick unbreakable plastic panel, flush with the face of the door on the inside. The view panel shall be positioned in the door so that a staff member continuously keeps the student under observation. The view panel shall not be covered with any material. On construction prior to the implementation of this policy, a vision panel is required but may be located adjacent to electro-magnetic lock. The units may continue in use if authorized by an operational permit.
4. The ceiling, floor and walls must be free of any loose, torn or potentially hazardous materials. All surfaces must be kept smooth and free of any hooks, outlets, switches or similar items. Construction materials shall meet all applicable provisions of the Florida Fire Prevention Code and the Florida Building Code. Each secured seclusion time-out room must be identified with a permanently mounted room number.
5. All secured seclusion time-out rooms shall have natural or mechanical ventilation.
6. Students in a secured seclusion time-out room must be observed continuously by a teacher or trained staff member.
7. Written records must be kept of each occasion when secured seclusion time-out room is used and shall include date, time of occurrence, description of the event, and who placed and who observed the student while in the secured seclusion time-out room. These records shall be readily available for review and inspection. Physical management of the student may be necessary and when possible, the physical management system established annually by administrative rule shall be utilized by trained employees.
8. The division and local fire official may conduct unannounced inspections of all secured seclusion time-out rooms to ensure compliance with this policy. A written log of each placement in the time-out will be maintained.

9. During each unannounced inspection, the fire official may review logs, observe secured seclusion time-out rooms for compliance, interview teachers, review staff development activities and conduct other activities as deemed appropriate to ensure compliance with this policy. A written record of each inspection must be made and a copy must be provided to the school administrator or designee.
10. Seclusion time-out rooms built after the date of the implementing rule shall be allowed to become operational only after a permit has been issued by the division or local fire official. The permit may only be issued after the school requests an inspection and the inspection has determined that the room meets all requirements stated herein.
11. Any and all secured seclusion time-out rooms shall be constructed and operated in a manner consistent with this policy.
12. Seclusion time-out rooms built *before* the date of the implementing rule shall be operational only after a permit has been issued by the division or local fire official.
13. There shall be not fees for permits and each permit is only effective for one year from the date of issue.
14. Applications for permits shall be made in writing from the school administrator and include the district name, school name, address, and phone number of the contact persons at the school who may be the administrator or designee. A form is available from the website – www.fldfs.com/SFM/ or through the facilities division.
15. If during a fire safety inspection the inspector finds that the seclusion time-out room is in violation of this policy, the secured seclusion time-out room shall be immediately withdrawn from use conforming to this policy.

(Ref. F.S. 1003.01; 1003.57)(Amended: 01/20/05)

4.32 KINDERGARTEN

The District School Board of Clay County shall be responsible for providing kindergarten programs for all children who meet legal age requirements for admission (See Kindergarten: 4.07). (Ref. F.S. 1001.42) (Adopted: 01/08/81)

4.33 ELEMENTARY SCHOOL PROGRAMS

The elementary school curriculum shall meet the requirements of the State of Florida and Clay County. The program should be supplemented and adapted to the needs of the elementary students as determined by faculty and study groups. The elementary program shall be revised as needed through a program of curriculum revision carried on by supervisors, principals, and teachers. (Ref. F.S. 1001.42) (Adopted: 01/08/81)

4.34 JUNIOR HIGH

The junior high school curriculum shall meet the requirements of the State of Florida and Clay County. The program should be supplemented and adapted to the needs of the junior high school students as determined by faculty and study groups. The junior high school program shall be revised as needed through a program of curriculum revision carried on by supervisors, principals, and teachers. (Ref. F.S. 1001.42) (Amended: 04/09/87)

4.35 SECONDARY SCHOOL PROGRAMS

- A. The secondary school curriculum shall meet the requirements of the State of Florida and Clay County. The program should be supplemented and adapted to the needs of the secondary students as determined by faculty and study groups. The secondary program shall be revised as needed through a program of curriculum revision carried on by supervisors, principals, and teachers.
- B. Transfer of Credits
 - 1. All evidence of work or credits earned at another school, community college, or university offered for acceptance shall be based on an official transcript authenticated by the proper school authority.
 - 2. Work or credits from state or regionally accredited schools or institutions shall be accepted at face value, subject to validation if deemed necessary.
 - 3. Credits of students transferring from non-accredited schools will be accepted on a probationary status subject to satisfactory work in the receiving school.

(Ref. F.S. 1001.51)(Adopted: 01/08/81)

4.36 VOCATIONAL EDUCATION

- A. Career education shall be available to all persons within the district, regardless of academic attainment or employment status.
- B. All career education courses will operate in accordance with the Florida State Plan for Vocational Education. The district vocational program will be reviewed and revised as needed by the Director of Applied Technology, principals and teachers.
- C. All equipment purchased with state or federal funds for vocational programs must be kept within the classroom/lab/shop for which it was intended. When it is no longer needed, the Director of Applied Technology will request proper disposition to remove the equipment.
- D. Career education skills and concepts shall be integrated into the entire K-12 program. The elementary grades shall focus on career awareness; the middle grades shall focus on orientation and exploration; the high school grades shall focus on specific training for job entry skills or postsecondary training.

(Ref. F.S. 1003.01(4))

4.37 CAREER EDUCATION

- A. The School Board shall adhere to the common definitions, uniform management system, program structures, and deadlines as designated by the Commissioner of Education for reporting data. Such systems must provide:
 - 1. Individual student demographics
 - 2. Compliance with state and federal confidentiality requirements
 - 3. Use of automated technology of records in existing data bases and data systems
 - 4. Annual reports of student enrollment, completion, and placement by program
- B. The State Board of Education shall identify, by rule, the components to be included in the vocational management information system.
- C. The planning and evaluation of job-preparatory programs shall be based on standard sources of data and use standard occupational definitions and coding structures, including:
 - 1. The Florida Occupational Information System
 - 2. The Florida Education and Training Placement Information Program
 - 3. The Department of Labor and Employment Security
 - 4. The U.S. Department of Labor
 - 5. Other sources of data developed using statistically valid procedures
- D. The School Board shall provide vocational preparatory instruction through which students receive the basic skills instruction based on standards of mastery as set by the State Board for Career Education.
- E. The School Board shall provide career education to enable students to attain and sustain employment and realize economic self-sufficiency.
- F. The School Board shall adopt accountability standards for public schools pursuant to ss.1000.03, 1001.11 and 1001.42:
 - 1. Students will be exposed to a variety of careers and have opportunities to explore specific careers in greater depth.
 - 2. Students will be made aware of the available vocational programs and the corresponding occupations into which these programs lead.
 - 3. Students will develop individual career plans.
 - 4. The secondary curriculum will integrate academic and vocational skills.

5. Students will be prepared to enter the workforce and enroll in postsecondary education without being required to complete college preparatory instruction.
 6. All job-preparatory vocational programs will have articulations, whenever possible, with the regional postsecondary technical institute, community college, or apprenticeship providers.
- G. The School Board shall not require a student to participate in any school-to-work or job-training program.
 - H. The School Board shall not require a student to meet occupational standards for grade level promotion or graduation unless the student is voluntarily enrolled in a job-training program.
 - I. The School Board shall provide vocational dual enrollment opportunities for students to earn elective credits towards the high school diploma. Vocational dual enrollment must be available for a secondary student seeking a degree or certificate from a job-preparatory program. The vocational dual enrollment may not supplant the acquisition of the high school diploma.
 - J. The School Board shall provide vocational early admission opportunities for secondary students to enroll full time in an area technical center or community college in courses that are creditable toward the high school diploma and the certificate or associate degree.
 1. Participation in the vocational early admission program shall be limited to students who have completed a minimum of six semesters of full time secondary enrollment.
 2. Students enrolled pursuant to this section are exempt from the payment of registration, matriculation and laboratory fees. Such costs will be covered by the local School Board.

(Ref. F.S. 1003.491)

4.38 DUPLICATION OF PUBLIC DOCUMENTS

It shall be the policy of the Clay County School Board to provide copies of all documents, as required by law or regulation, to the general public at a cost to be estimated annually by the Superintendent.

(Ref. 1002.22) (Adopted: 01/08/81)

4.39 EDUCATIONAL ALTERNATIVE PROGRAMS

A. Definition

1. Educational alternative programs are programs designed to meet the needs of students who are disruptive, disinterested, or unsuccessful in a normal school

environment. The educational alternative may occur either within the school system or in another agency authorized by the School Board.

B. Criteria for Eligibility

1. A student may be considered for an educational alternative program if the student meets one (1) or more of the criteria defined and prescribed by Florida Statutes and State Board of Education regulations currently in force and as otherwise repealed, modified or amended.

C. Additional Criteria

1. District procedures shall be adopted and will be reviewed annually for the purpose of making any necessary modifications or amendments to provide for compliance with existing F.S. and SBER. District procedures will contain criteria for categories of additional student eligibility, maintenance of records and agreements with other agencies or organizations as provided for in F.S. 1001.42.

(Ref. F.S. 1006.13(4) & SBER: 6A-1.994)(Adopted: 01/08/81)(Amended: 11/12/81)

4.40 HOMEWORK

A. Definition

Homework is defined as assignments, which support specific concepts taught during the school day. Incomplete class work, which must be completed at home, is not considered to be homework, but rather a continuation of the student's daily classroom responsibilities.

- B. Homework in the elementary school should not exceed sixty (60) minutes per night. Individual assignments, rather than class assignments, are strongly recommended. Homework should not be assigned on holidays.
- C. On the junior high and senior high school levels, homework may be necessary if all students are to successfully complete all of the work required during any school year. However, each teacher should consider the ability of the students, the assignments of other teachers, and the purpose of the work when making home assignments. Generally speaking, an assignment should not require over an hour to complete. The total homework of any student should not require over two (2) hours for any one day unless the individual is enrolled in International Baccalaureate, Advanced Placement, and/or Dual Enrollment classes. The International Baccalaureate, Advanced Placement, and Dual Enrollment classes lead to college credit; therefore, students may expect an additional commitment determined by course content.
- D. The Department Heads, from each junior and senior high school, should make every effort to coordinate the timing of due dates for major homework projects, (i.e., research

papers, Science Fair projects, etc.) so that students will have ample time to devote their best effort to all assignments. Homework should not be assigned on holidays.

- E. Although science projects may be required as part of the overall science program, participation in annual “Science Fair” activities is optional on the part of the student and non-participation shall not adversely affect the student’s grade.
- F. Teachers shall not assign homework during the time of statewide or district wide assessment tests. This will begin the day prior to the first day of testing through the completion of the testing schedule. Make-up test dates will not be included in the provision stated above. Example: FCAT testing begins February 15 through February 17. Make-ups are scheduled for February 18. Teachers shall not assign homework February 14-17 to students involve in testing.

(Ref. F.S. 1012.22) (Amended: 04/20/00)

4.41 FACULTY MEETINGS

Periodic faculty meetings for study of current problems and professional study shall be held. Principals may call additional faculty meetings as needed.

(Ref. F.S. 1001.42) (Adopted: 01/08/81)

4.42 PRIVATE INSTRUCTION

Work done under private instruction shall not be accepted by credit unless the institution, person, or persons providing the instruction is properly licensed by the State of Florida and is operating in accordance with State Board Regulations.

(Ref. F.S. 1001.02)(Adopted: 01/08/81)

4.43 ATHLETICS-INTERSCHOLASTICS

- A. Schools concerned with interscholastic athletics shall develop policies for the scheduling of games, contracts, transportation, insurance, cheerleader details, broadcasting of games, equipment, teacher responsibility, health, safety, and conduct.
- B. Athletics and other school activities shall be conducted within the framework of regulations governing such contests by the Florida High School Activities Association.
- C. General Policies
 - 1. Participation a Privilege

Participation in interscholastic athletic programs by a student is a privilege, not a right. Students wishing to participate are required by adhere to the

uniform minimum standards and maximum limitations set forth in state law, these policies and such policies and regulations that are adopted by the Florida High School Activities Association (hereinafter “FHSAA”).

2. Rationale for Eligibility Standards

Uniform standards and limitations governing eligibility are necessary prerequisite to participation in interscholastic athletics because: (a) they protect the opportunities of qualified students to participate; (b) they ensure competitive equity among member schools; (c) they encourage academic achievement by student-athletes; and (d) they promote the health and well-being of student-athletes.

D. General Definitions

1. Eligibility

Eligibility means the privilege of participating in interscholastic athletics that is attained by complying with all minimum standards and maximum limitations for student-athletes, whether established by Florida Statutes, the FHSAA, adopted by this Board for students in schools under its jurisdiction, or set by an individual school for its own students. Eligibility to participate includes, but not limited to, a student participating in tryouts, off-season conditioning, summer workouts, preseason conditioning, in-season practice, and contests. In order to participate in any of the areas mentioned, the student is required to have all proper medical forms completed prior to the participation.

a. Restricted eligibility means the privilege of participating in interscholastic athletics that is limited to some extent due to an individual’s failure to comply with one or more of the minimum standards and maximum limitations established for student-athletes.

b. Eligible

Eligible means having attained and continuing to retain eligibility. An eligible student-athlete is one who has attained and continues to retain eligibility, whether restricted or not.

c. Ineligible

Ineligible means failing to attain or retain eligibility. An ineligible student-athlete is one who has failed to attain or retain any eligibility.

2. Enrollment

Enrollment means attendance by a student in a class period in a school during the regular school year or participation by the student in an athletic practice based

on the official starting dates for that sport established by the FHSAA at the school, whichever first occurs. The submission of an application or registration to attend a school or the acceptance for attendance at a school does not constitute enrollment in that school. Enrollment requires the physical presence of the student in a class period or on or after the first official start date for an athletic season at the school. A student cannot be enrolled in more than one school at any time.

3. Residence

Residence means enrollment and attendance in a school by a student. A student is considered to have residence in the school in which he/she first enrolls upon beginning each school year.

4. Parents

Parent(s) means a student's biological parent(s), stepparent(s), adoptive parents(s), foster parent(s), and legal guardian as determined by a court or proper jurisdiction, or other adult with whom the student has lived for not less than the previous one calendar year.

5. Calendar Year

A calendar year means 365 consecutive calendar days, except during a leap year when it means 366 consecutive calendar days.

6. School Year

A school year means the 180 school days comprising the fall and spring semesters. Summer school, unless otherwise specifically stated in these policies, is not considered part of the school year.

7. Semester

A semester means one half of a school year, which is approximately 18 weeks or 90 school days.

8. Grading Period

A grading period means one semester, regardless of class scheduling format (i.e., block, traditional, etc.) utilized.

9. School

School means any school in the School District of Clay County, Florida.

10. Varsity

Varsity means the highest level of interscholastic athletic competition offered by a school.

a. Sub-varsity

Sub-varsity means any level of interscholastic athletic competition subordinate to varsity that is offered by a school. Sub-varsity includes but is not limited to B-team, junior varsity and freshman programs in 9-12 high schools, as well as middle school programs in K-12 and 6-12 high schools.

E. Residence

1. A student in grades 9 through 12 shall have residence and be eligible to represent the school in which the student first enrolls upon beginning of each school year and meets the district and state transfer policies.
 - a. Residence, for the purpose of applying the eligibility requirements set forth herein, does not refer to the home of the student but rather to enrollment and attendance by the student school. A student automatically establishes residence for his/her high school eligibility in the school in which the student enrolls beginning each school year and who meets district and state transfer policies.
 - b. A student in grades 9 through 12 who after having established residence in a school transfers attendance to another school shall be considered a transfer student and shall be required to establish residence in the new school subject to the provisions of Section F. of these policies.
2. A home education student who participates in interscholastic athletics, pursuant to 4.43E.1. shall have residence and be eligible to represent the school in which the home education student is assigned based on district zoning guidelines in order to participate in interscholastic athletics upon beginning the ninth grade or at such time thereafter whenever registration to participate first occurs.
 - a. A student who after having established residence in a school ceases to attend that school and enters a home education program shall be eligible to represent the school in which he/she last had residence, or the assigned school based on district zoning guidelines provided the student was eligible to represent that school at the time he/she ceased attendance.
 - b. A home education student who after having established residence in a school discontinues home education and enrolls in a school other than the school in which he/she had residence shall be considered a transfer student and shall be required to meet all district and state transfer policies.
3. A charter school student is eligible to participate at the public school to which the

student would be assigned according to district attendance policies or which the student could choose, in any interscholastic extracurricular activity of that school, unless such activity is provided by the student's charter school if the student meets the criteria determined by the charter school governing board.

- a. A student who after having established residence in a school ceases to attend that school and enters a charter school that does not sponsor interscholastic athletics shall be eligible to represent only the school in which he/she last had residence, provided the student was eligible to represent that school at the time he/she ceased attendance.
- b. A charter school student who after having established residence in a school ceases to attend the charter school and enrolls in a school other than the school in which he/she had residence shall be considered a transfer student and shall be required to establish residence in the new school subject to the provisions of Section 4.43F.

F. Transfer

1. A student who having established residence in a school in grades 9 through 12 transfers attendance to another school shall immediately be allowed to participate in any interscholastic athletic programs at any level, whether varsity, sub-varsity or other and/or the transfer is in conjunction with a physical joint relocation of the student, his/her parent(s) and other individual(s) with whom he/she has been living to a new address that makes it necessary for the student to attend a different school.
 - a. To be considered a physical joint relocation to a new address, the occupation of the new address by the student, his/her parent(s) and other individuals with whom he/she has been living must be full and complete. The former address must be abandoned, that is vacant, sold, or rented to persons other than any member of the family, and may not be occupied for any purposes at any time by the student, his/her parent(s) or minor sibling(s). Before being deemed eligible by the principal of the school to which he/she transfers, the student and his/her parent(s) must attest in writing to the facts of the relocation and provide documentation that all personal belongings have been moved from the former address, mail is received at the new address, all utilities have been transferred to the new address, and driver's license, voter registration and other forms of legal identification have been changed to the new address. At the time of registration, the school to which the student transfer shall inform in writing the student and his/her parent(s) of the proof required for eligibility and that the school's administration may verify the full and complete relocation by conducting an inspection of the former address, the new address or both. Under no circumstances can a student and his/her parent(s) occupy more than one address for eligibility purposes.
 - b. References to "other individual(s) with whom the student has been living" includes minor siblings and, depending on the specific circumstances that assure a full and complete relocation for the student,

may include adult siblings, step-siblings, aunts, uncles and grandparents and other who have been a family unit and not merely co-habitants of the same dwelling who have been and remain financially self-sufficient. For the purposes of achieving a full and complete change of address, a “member of the family” who remains at the “former address” shall not be the student’s parent(s), sibling(s) under the age of 18 or other family member(s) who is not financially self-supporting. The only family members(s) who remain at the former address must be 18 years of age or older and financially self-supporting.

- c. The need to attend a different school as the result of relocation to a new address must be based on the fact that the student is no longer permitted to attend his/her old school by the district school board because the new address is outside the school’s attendance zone.
 - d. Should the student transfer in conjunction with a physical joint relocation and then subsequently relocate to another address in order to participate in interscholastic athletic programs at any level must meet district and state transfer policies.
2. The Board or its designee may waive the provisions of Policy 4.43F. for the benefit of a transfer student when application for such a waiver is made by the principal of the member school to which the student transfers if it is demonstrated to the satisfaction of the Board of its designee that the circumstances surrounding the transfer meet one or more of the following “good causes” established by the Board.
- a. The school to which the student transfers is one to which the student had applied upon initial entry into the ninth grade but was denied admission because the school or special program offered at the school was a capacity, and to which the student has now been accepted due to a vacancy in the school or that same special program offered at the school, provided the student enrolls in the school or special program at the first opportunity.
 - b. The school to which the student transfers offers a magnet or other special program that commences in a grade higher than the ninth grade, provided the student applies for, is accepted to and enrolls in the program at the first opportunity.
 - c. The school in which the student was enrolled is categorized as a failing school by the Florida Department of Education, provided the school was not categorized as a failing school at the time of the student’s enrollment, the transfer is to a school that is not categorized as a failing school, and the transfer occurs at the first opportunity.
 - d. The transfer is at the initiative and order of the school board for other than athletic or disciplinary reasons, and was not the result of a request by the student or his/her parent(s). In such cases the student may enroll

in the public school to which he/she has been assigned by the school board or in another public or nonpublic school.

- e. The student undergoes a necessary relocation from the home of his/her parent(s) at one address to the home of another individual(s) at a different address that makes it necessary for the student to attend a different school. “A necessary relocation” means that the conditions that cause the relocation are beyond the control of the student and/or his/her parent(s); work an unjust, unfair and unforeseeable hardship upon the student; and are such that none of the parties involved could reasonably have been expected to comply with the provisions of Policy 4.43F.1., et seq.
- f. The student following his/her emancipation by marriage, court order or reaching the age of majority establishes a separate household at a different address that makes it necessary for the student to attend a different school. The student must show proof that he/she has established his/her own household and is not receiving financial support from anyone other than himself/herself. If under the age of 18, the student also must provide a copy of the emancipation order issued by the court.
- g. The student is a ward of the court or state and is required to relocate to a new address that makes it necessary for the student to attend a different school. A certified copy of the court order, together with a copy of the petition upon which the order was based and other evidence the court had to consider in issuing that order must be provided. Temporary guardianship that is granted without approval of a court does not fulfill this requirement.
- h. The student who after attending a public school attends a private school, and because of a financial hardship beyond the control of the family, is no longer able to afford the tuition and must transfer his/her attendance to a different school.
- i. The home education cooperative in which the home-educated student participated is dissolved and the home education student registers to participate at another home education cooperative or school.
- j. The principals of both the student’s old and new schools provided both schools are in the Clay County School District, certify that the transfer in their opinion is in the best educational interest of the student, not the result of disciplinary action, and is not the result of recruitment by another school or individuals.
- k. The student is the child or dependent of an employee of the school district and, as such, is entitled to school choice.
- l. The student did not participate in that same spot at another school during the

same school year OR met one of the following criteria:

- e. the student is a dependent child of an active duty military personnel whose move resulted from military orders;
 - f. the student has been relocated due to a foster care placement in a different school zone;
 - g. the student has relocated due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent;
 - h. the student met the “good cause” exemptions (a-m) established by the district.
 - i. the student may transfer mid-season and join a team if the following occurs if none of the previous criteria (a-d) applies:
 - 1. the roster for the sport has not reached maximum size;
 - 2. The coach/sponsor determines the student has the skill and ability;
 - 3. The FHSAA and school district may not declare such a student ineligible because the student did not have the opportunity to comply with qualifying requirements.
 - m. The student attends a private school with less than 125 students and is not a member of the FHSAA and the student wants to participate in a sport at the public school in which the private school does not offer. The student would be zoned at the public school in which physical residency is assigned.
3. An application for waiver of Policy 4.43F. shall be made on a form provided for this purpose by the School Board. The form must be initiated and signed by the principal of the district school to which the student transfers, must indicate the exception(s) under which the waiver is being requested, must describe the circumstances surrounding the transfer, must be signed by the principal of the school last attended by the student, and must be submitted along with any supporting documentation to the School Board designee for his/her approval. A waiver is not granted until the form, fully executed by the principals of both schools, is reviewed and approved in writing by the School Board designee, and is on file in the office of the school to which the student transfers.
- a. A principal should not consent to an application for waiver. However, if he/she has evidence that reasonably leads him/her to believe that the student’s transfer is motivated by reasons relating to disciplinary action, the result of recruitment, or a violation of an FHSAA policy, the district designee should be immediately notified. The student, however, will remain eligible in interscholastic extracurricular activities until final disposition.

- b. Eligibility is not determined nor is the Board or its designee bound by the action taken by either or both principals signing the application for waiver. The Board or its designee instead shall have the discretion to investigate the accuracy of the application and to approve or deny the waiver based solely on the findings of his/her investigation.
4. The Board or its designee shall have broad discretion in applying the conditions of the exceptions under which he/she may grant a waiver to specific cases and shall take into consideration not only the needs of the student involved, but also the best interest of all students in all Clay District schools and the total interscholastic athletic program in general as he/she understands those interests. Should the Board's designee deny an application for waiver, the principal of the school making the application upon request of the student may appeal the decision to the Board or request undue hardship hearing by filing a written request with the District School Superintendent.
5. A foreign exchange student who attends a district school under the auspices of a foreign exchange program approved by the Board shall not be restricted from participation in interscholastic athletics at the school in which the student first enrolls upon entering the school district. Should the foreign exchange student transfer within the district after first enrollment, said student shall be subject to the same restrictions and regulations as any other transfer student as set forth in 4.43 F.
6. A transfer student shall become eligible to represent his/her new school immediately on the following the date of his/her enrollment in that school, provided the principal of the school has received an official written transcript from the school from which the student transferred and has verified that the student meets all eligibility requirements.
 - a. A transfer student for whom an official written transcript cannot be obtained shall not be eligible until he/she has attended his/her new school for one full semester, established a grade point average that satisfies the academic requirements of the Board, and been submitted to the Board designee for approval. The principal of the school in seeking approval of the student's eligibility shall document the student's name, his/her date of enrollment, the inclusive dates of the previous semester, and shall provide an explanation as to why an official written transcript could not be obtained.
 - b. The principal of a district school shall verify the eligibility of a student who has transferred to another district school when requested to do so by the principal of that school.

G. Interpretation

For purposes of interpretation of these policies, the term "interscholastic athletics" shall include cheerleading, dance teams, football, baseball, volleyball, soccer, golf,

softball, tennis, wrestling, track and field, cross-country, basketball, and any other individual or team sport or form of physical competition.

H. Board Designee

The “Board designee” shall be a committee consisting of one member of the School Board, the Assistant Superintendent of Instruction, the Supervisor of Secondary Education, the Director of Academic Services, and one high school principal. The Superintendent of Schools shall appoint three high school principals who will rotate participation as the designee on the committee on a per case basis. No principal can participate as the committee member when the interests of his/her school will be directly affected by the committee’s decision. Principal appointments for committee participation shall be for staggered three-year periods. Of the first three principals appointed to the committee, one shall serve for one year, one shall serve for two years and one shall serve for three years. As each is replaced, the appointments shall be for three year periods.

(Ref. F.S. 1001.42)(Adopted: 01/08/81, Amended: 07/20/06)(Amended: 6/1/16)

4.44 MEDIA SERVICES

A. Centers

Media services shall be established and maintained in each school center. In addition, a District Media Center shall be established and maintained for use by all of the schools in the district. (Ref. 1006.28(d))

B. Copyright Infringement

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

C. The District shall develop a Manual of Procedures for School Media Services, which shall be approved and adopted by the Board.

(F.S. 1006.28(d))(Title #17, U.S. Code)

4.45 INSTRUCTIONAL MATERIALS

A. In accordance with the provisions of Florida Statutes, the Superintendent shall ensure that there is an evaluation of any instructional materials to be requisitioned that has not been used previously in the district’s schools. All instructional materials, both state adopted and non-state adopted, may be purchased only after having been reviewed and approved through procedures established by the Superintendent. Review procedures shall provide for the participation of teachers, administrators, and when possible, the lay public. Within

the parameters of financial resources and sound educational practice, the textbook adoption for the core courses of mathematics, language arts, social studies, science, reading and literature in grades K-12 shall be standardized except for instruction for which the school advisory council approves the use of a program that does not include a textbook as a major tool of instruction.

- B. Each principal shall determine for his/her school the needs of students for books and shall provide for these books within his/her textbook allocation. He/She shall be responsible for adequate record keeping and inventory of textbooks according to Florida Statutes, Chapter 1006.28.
 - C. Each principal shall assure that instructional materials are used to provide instruction to students enrolled at the grade level or levels for which the materials are designed. He/She shall annually communicate to parents the manner in which instructional materials are used to implement the curricular objectives of the school. He/She shall also annually provide information to parents that they may purchase instructional materials and the appropriate procedure to purchase the materials.
 - D. Due notice shall be given the student or parent/guardian as to the amount to be paid for lost or damaged textbooks. The failure to collect such sum upon reasonable effort by the principal may result in the suspension of the student from participation in extracurricular activities or satisfaction of the debt by the student through community service activities at the school site as determined by the principal. Failure of the student or parent/guardian to pay the amount assessed shall result in no further issuances of state owned textbooks to the student. The following exceptions may be granted to alleviate extenuating conditions or severe injustice to the student:
 - 1. books destroyed by fire or storm on school property;
 - 2. families receiving Aid to Dependent Children;
 - 3. extenuating conditions that may be known to the principal which are not covered by 1 and/or 2 above.
- Items 2 and 3 must be evaluated in light of what the parent may be able to pay. There are conditions in which parents may be able to pay a smaller assessment. When a student has lost, damaged, or destroyed a textbook, an amount as prescribed in Florida Statutes, Chapter 1006.28, 3B, shall be assessed.
- E. County standardized textbook adoption for the core courses of mathematics, language arts, social studies, science, reading, and literature in grades K-12 may be viewed at the school site.
 - F. The district shall develop a Handbook of Instructional Materials Procedures in compliance with Florida Statutes.

(Ref. F.S. 1006.28)(Amended: 08/19/04)

4.46 INSERVICE EDUCATION

- A. The Professional Development Advisory Council shall serve as the self-study committee for Master In-service Plan requirements as well as the advisory body for the Professional Development System.
- B. The Professional Development Advisory Council shall serve as the advisory body over all in-service activities for both instructional and non-instructional personnel and, as well as performing those functions required by Florida Statutes, shall perform the following duties:
 - 1. Conduct an annual needs assessment of perceived in-service needs in concert with School Improvement and Comprehensive Education Planning. (Ref. F.S. 1012.98)
 - 2. Analyze Comprehensive Education Plan to glean district-wide in-service needs.
 - 3. Make recommendations to the Superintendent and School Board for what in-service should be required and what should be considered voluntary.
- C. The minimum length of time and in-service points for components in the Master In-service Plan shall be three (3) hours.
- D. School district employees who operate a motor vehicle in the line of duty shall annually receive in-service training on correct safety belt usage.

(Ref. F.S. 1001.41(2); 1012.9)(Adopted: 01/08/87)

4.47 ADULT AND COMMUNITY EDUCATION

I. Adult Education (Ref. F.S. 1004.93)

A. Purpose

The School Board shall establish and maintain an Adult General Education Program, which is based on a needs assessment and is designed for basic skills education, secondary education, or lifelong learning pursuant to Florida Statutes and State Board of Education Rules. This program shall be the direct responsibility of the local administrator of Adult and Community Education. Courses and credit requirements for the GED Diploma and Adult General Education Program shall be approved by the Clay County School Board and be incorporated into the Clay County Student Progression Plan.

B. Definition of Adult Students

- 1. An individual who has reached the maximum compulsory school age and has legally withdrawn from the elementary or secondary school of last attendance; or
- 2. An individual student of compulsory school age who in the judgment of the School Board may be better served in the program for physical social, or economic reasons;

3. An individual student of compulsory school age who may need the program to accelerate graduation;
4. Any adult resident who desires to further his/her education.

C. Administration

1. The Adult and Community Education Program shall operate under a state certified Administrator of Adult General Education in accordance with State.
2. Administrative staff in the Adult General Education Program shall be certified in accordance with State Board Rule 6A-4.008.

D. Curriculum for Adult Education

1. The Adult General Education Program shall consist of programs in Adult Basic Education, Adult General Education, high school completion.
2. Programs and courses will be made available to students of all ages and ability levels.
3. Course standards will be determined by the State Course Code Directory.
4. Program Content
 - a. Adult Basic Education (ABE) – courses at or below the eighth grade level. Included are reading, mathematics, social studies, science, language arts, consumer education, and English for persons who speak other languages. (ESOL)
 - b. Adult Secondary Education – courses at or above the ninth grade level, including review courses in preparation for taking the General Education Development tests and courses for high school credit leading to award of a high school diploma, with courses equivalent in competencies to those required of other students in public high schools in the district and contained in the current Course Code Directory.

E. Enrollment

1. Program entrance and exit opportunities shall be permitted at any time during the year. The granting of course credit shall be based on demonstrated mastery of performance standards. High school students requesting co-enrollment may be under constraints from the high school calendar (end of year or semester) and may not finish course work in time for graduation.
2. Enrollment is limited to those students who meet the definition of “Adult Student” defined in paragraph “B” above.

F. Teacher Qualification

Adult General Education classes for which, Florida Education Finance Program funds are earned shall be taught by qualified teachers as defined in Florida Statute 1012.56.

G. Academic Skills Tests for Adults

The following tests are approved to determine whether a student enrolled in the Adult General Education Program demonstrates skills at or below the eighth grade level according to the standards established by the test by test developers:

1. Test for Adult Basic Education (TABE)
2. English Second Language Oral Assessment (ESLOA).

H. Fees

Fees shall be charged for all students enrolled in adult basic, adult high school, adult job preparatory, adult vocational supplement, or other adult programs, which are reported for funding through the Florida Education Finance Program EXCEPT for those students specifically exempted. (F.S. 1009.22(25, 26, 27)

1. A fee schedule for non-exempt students shall be established by the Department of Education, Division of Workforce Development and shall be published annually. These fees, payable to the “Clay County School Board”, shall be included in the district budget. The schedule shall specify the fee for adult students who are permitted to audit a course on a space available basis.
2. Fees shall be calculated and reported in accordance with Florida Statutes.
3. Fee payments shall be deferred as prescribed in Florida Statutes.

I. Student Progression

A student may be placed at a secondary grade level (9-12) based on the results of an appropriate standardized test.

J. Graduation Requirements

1. State Student Assessment Test

Achieve a score equal to or greater than the mastery level on the HSCT/FCAT as established by the State Board of Education, Florida Statutes, or as otherwise determined or modified by legal/court rulings.

2. Adult High School Graduation Requirements:

- a. Completion of each of the following courses with at least 70% mastery:

Language Arts	-	4	
Mathematics	-	3	
Science	-	3	
Social Studies	-	3	
Physical Education	-	0	
* Fine Arts	-	½	
* Practical Arts Vocational	-	½	
Life Management Skills	-	0	
Electives	-	<u>10</u>	
TOTAL		24	Credits

**One full or half credit of each.*

- b. 2.0 GPA
 - c. Passing score on the HSCT/FCAT Communications and Math
3. Students entering the district, wanting to receive a standard high school diploma, must earn two (2) of the twenty-four (24) credits needed to graduate from the School District of Clay County.

K. Explanation of Academic Areas

- 1. Language Arts: English I, II, III, IV.
- 2. Mathematics: Includes 1.0 credit in Algebra or equivalent courses.
- 3. Science: No specific course requirements apply. The lab requirement has been waived for Adult Education students.
- 4. Social Studies: 1 credit in American History, 1 credit in World History, ½ credit in economics, and ½ credit in American Government.
- 5. Physical Education: The 1-1/2 credits required for graduation are waived. The 1-1/2 credits are now classified as “elective”.
- 6. *Fine Arts/Practical Arts: One (1.0) credit in “Art in Other Cultures” will satisfy this graduation requirement.
- 7. *Life Management: The ½ credit required for graduation is waived and moved to an elective requirement.

L. Limitation on Graduation Date

No individual, except one assigned, by the Superintendent, shall be permitted to qualify for high school graduation at an earlier date than that on which he or she would normally have graduated through regular attendance in high school.

M. Attendance

1. Students, 17 years old and under, must meet the following attendance requirements, in order to retain or obtain his/her regular driver's license:
 - a. be in attendance in adult school or GED preparation;
 - b. not absent more than two (2) sessions per semester in any credit earning class OR four (4) sessions for GED classes.
 - c. be enrolled in adult school or GED preparation within 10 school days after withdrawal from high school.
2. Co-enrolled high school students not complying with the attendance policy, will be referred to their respective home school and "dropped" from the adult education class.
3. Students 18 years old or older are encouraged to maintain good attendance in order to remain in and complete their course of study.

N. Credit

1. Credit shall be granted to military experience in accordance with Florida Statutes.
2. Transfer of Credit
 - a. All evidence of work or credits earned at another school, offered for acceptance shall be based on an official transcript authenticated by the proper school authority, and recognized by the Regional Accrediting Agency.
 - b. Work or credits from state or regionally accredited schools or institutions shall be accepted at face value subject to validation, if deemed necessary.
 - c. Credits of students transferring from non-accredited schools or institutions may be accepted on a probationary status subject to earning four (4) credits in adult education classes and pass the FCAT.

O. General Education Development Test (GED)

1. The GED Test shall be administered through the Adult and Community Education Department. (F.S. 1004.93)
2. Candidates shall be at least 18 years of age on the date of the examination except in extraordinary circumstances where a candidate is at least 16 years of age, resides in the Clay County area, and meets one of the following criteria:
 - a. has withdrawn from school.

- b. is a candidate for GED.
- c. exhibits extraordinary physical, social or economic problems for which there is appropriate documentation.
- d. is granted an AGE WAIVER by the Superintendent/designee.

(Ref. F.S. 1003.435(4))

P. Cooperative Projects and Activities

The School Board may enter into cooperative projects and activities with other governmental agencies or with non-profit corporations to meet community education needs.

(Ref. F.S. 1008.33; 1001.42(4) (j); 1012.22; 1001.42)

Q. Facilities

- 1. Instructional Facilities should be consistent with the number and nature of adults served. They should provide accessibility for handicapped persons as required by Section 504 or the Rehabilitation Act.
- 2. The local educational agency may also use the buildings, land, equipment, and other property owned or leased by cooperating public or private agencies, organizations, and institutions in the conduct of the adult education program.

II. COMMUNITY EDUCATION

A. Purpose

The School Board shall establish and maintain a Community Education Program, which is based on needs assessment, verbal requests, state plans, civic groups, and other requests, that is designed to enhance the lifelong learning process brought about by changes in our culture and environment, which affects us economically, socially, physically, mentally, and spiritually and is pursuant to Florida Statutes, State Board Rules and the State Plan. This program shall be the direct responsibility of the local supervisor of Adult and Community Education and involve the broadest possible cross section of residents and be offered in locations most convenient to citizens.

B. Definition of Community Education Students

- 1. Individuals regardless of age, race, sex, or national origin, who are interested in improving their quality of life by participating in community education classes or activities.
- 2. An individual looking for self-improvement without regard to credits or job updating and enhancement skills.

C. Administration

1. The Adult and Community Education Program shall operate under a state certified Administrator in accordance with State Statutes.
2. Administrative staff in the Community Education Program shall be certified in accordance with State Statutes.

D. Curriculum for Community Education

1. Curriculum is directed toward educational solutions to a wide range of social and economic problems.
2. Programs and services are to be provided that improve community safety, identify health problems, assist senior citizens and improve the self-interests and sufficiency of members of the community.
3. Concerns to be addressed are specified but not limited to: technology changes, crime prevention, education, youth at risk socially-educationally and occupationally, expansion of school-age child care program, senior citizens, health care issues, substance abuse, and AIDS.
4. Program Content
 - a. Learning experiences that include educational, recreational, social, civics, cultural and health services will be provided through community members.
 - b. Instructional activities are designed to help citizens improve their competence and enhance their quality of life, BUT NOT to seek or upgrade wage-earning employment skills, to earn a high school diploma or its equivalent, or achieve basic skills.

E. Enrollment

1. Enrollment is open to all Clay County citizens.
2. Registration is required for all students participating in Community Education activities.
3. Classes are to involve the largest cross section of residents as possible.
4. Classes are to be located in locations most convenient to the population to be served.

F. Teacher Qualifications

1. Teachers/Instructors are not required to hold state teaching certification.

2. Qualifications for Community Education teachers/instructors will be indicated on postings and advertisements for the position and will be based on skills needed for the course being offered.

Considerations will be, but not limited to the following: certification, skill level, degree, experience, recommendations and availability.

G. Teacher/Instructor Selection/Salary

1. Teacher/Instructor applications for Community Education shall be processed through the Human Resources Division and Adult Education office.
2. Teachers/Instructors with specialized skills may be secured through advertisements if the administrator is unable to identify community education teachers who can provide special services required for a particular course or activity.
3. Teachers/Instructors services are obtained through posting, recruitment, advertising, want ads, et cetera.
4. The salary for Community Education instructors employed by the Board shall be in accordance with the salary scheduled established in Section II-21 of the current Salary Schedule. The exact hourly wage is to be determined based on the current job market, unique skills, areas of expertise and/or specialized skills necessary to offer a particular course. The recommendation regarding actual hourly salary amount to be recommended by the administrator of the Community Education program and approved by the School Board.

H. Fees

1. Fees for Community Education classes should be established annually by the School Board.
2. Total fee collection shall not exceed program costs (F.S. 1004.96).
3. Books are sold separately.
4. Additional supply fees may be charged as needed (i.e., art, crafts, cooking, et cetera).
5. Occasionally a school holiday will fall during a session. Should this occur, canceled sessions will be made up. Refunds for one class will not be given.
6. Requests for refunds will be considered only during the first week of class.

I. Facilities

1. Instructional facilities should be consistent with the number and nature of students served. They should provide accessibility for handicapped persons as required by Section 504 of the Rehabilitation Act.

2. The local educational agency may use buildings, land, equipment and other property owned or leased by cooperating public or private agencies, organizations and institutions in the conduct of the Adult and Community Education Program.
3. School facilities used by outside agencies must be recorded on a Facilities Utilization Form.
4. Outside agencies and organizations are to provide certificates of insurance naming the Clay County School Board as additionally insured.

J. Advisory Committee

1. An Advisory Committee shall be established to assist the administrator of the Community Education program.
2. The committee will be called the Community Education Advisory Committee.
3. The purpose of this committee will be to assist in needs assessment, liaison from community organizations, public relations, marketing and comprehensive planning for the Community Education program.
4. Meetings shall be held at least annually. Additional meetings may be called as needed.
5. Membership will be a representative cross section of citizens.

4.48 STUDENT PERFORMANCE STANDARDS

Instruction will be provided in the schools of Clay County based upon the “Student Performance Standards” for Florida schools as required by FAC 6A-1.09415.

(Ref. F.S. 1001.03)(Adopted: 06/14/84)(Amended: 04/09/87)

4.49 USE OF SCHOOL FACILITIES

Equal Access – Availability of secondary school facilities to students for meetings.

In accordance with the Equal Access Act, the Board authorizes secondary school premises to be made available to students who wish to conduct meetings during non-instructional time. Non-instructional time is defined as the time set aside by the school in the morning before actual classroom instruction begins or in the afternoon after actual classroom instruction ends, exclusive of the optional periods offered by the Board. The use of secondary school premises for these meetings may be approved by the school’s administrative staff in accordance with the following provisions:

- A. The meeting:

1. Is voluntary and student-initiated;
 2. Does not materially and substantially interfere with the orderly conduct of educational activities within the school;
 3. Is not directed, conducted, controlled, or regularly attended by non-school persons;
 4. Does not require additional tax funds; and
 5. Is not otherwise unlawful.
- B. The length of the meeting shall not extend beyond 5:00 p.m., unless extended by individual school policy.
- C. Admission fees are not charged during the course of the meeting.
- D. Application for use of secondary school premises is properly executed by the student initiating the request, utilizing forms that may be secured from the school office, where use is being requested.

There shall be no sponsorship of the meetings by the school, the School Board or its agents or employees. The term “sponsorship” includes the act of promoting, leading or participating in a meeting. The assignment of a teacher, administrator, or other school employee to a meeting for custodial purposes does not constitute sponsorship of the meeting. Employees or agents of the school or School Board may be present at meetings only in a non- participatory capacity.

Use of school premises shall not be denied on the basis of the number of participants or on the basis of the content of the speech at such meetings, e.g., religious, political, philosophical; however, nothing in this Rule shall be construed to limit the authority of the school, its agents or employees, to maintain order and discipline on school premises, to protect the well-being of students and faculty, and to assure that attendance of students at meeting is voluntary.

Denial by the principal of the use of school premises to any student initiated group for the purposes of conducting a meeting during non-instructional time may be appealed to the Deputy Superintendent.

(Ref. F.S. 1001.42)(Adopted: 04/11/85)

4.50 ANIMALS IN THE SCHOOL ENVIRONMENT

A. Biological Experimentation

Surgery on or dissection on any living mammalian vertebrate or bird by students in grades K-12 is prohibited. Dissections are allowed on preserved specimens obtained from a recognized source. Such dissections must be carried out under the supervision of a qualified instructor. Living non-mammalian vertebrates, excluding birds, may be used in biological experiments, provided that physiological harm does not result from such

experiments. Anatomical studies must be conducted on models, which are anatomically correct for the animal being studied or on nonliving non-mammalian vertebrates. Students may be excused from such experiments and from dissection activities upon written request of the parent or guardian. The teacher, with approval from the school administrator, will determine what work is to be assigned as an alternative to dissection. Observational studies of vertebrate animal cells acquired from proper sources, and normal physiological and behavioral studies may be conducted. All experiments must be conducted under the supervision of a competent science teacher.

B. Animals in the Classroom

The maintenance of live animals in the classroom solely as pets is discouraged. The maintenance of live animals in the classroom for a limited time as a teaching tool based upon appropriate teaching objectives is encouraged. The decision to allow any living animal in the school or on the school grounds shall be made by the school principal and must be based upon a plan submitted to the principal by the teacher, which outlines and supports the educational objectives promoted by the presence of the animal, the appropriateness of the particular animal selected and a plan of care for the animal which includes maintenance on weekends, holidays, extended breaks and at the end of the year.

Live animals on the premises of public and non-public elementary and secondary schools must be housed and cared for in a humane and safe manner. Animals must not remain on the premises of any school during periods when school is not in session, unless adequate care is provided. Arrangements must be made in advance for the feeding and care of animals during school vacations. Assigning or allowing students or their families this responsibility will be permitted only if the appropriate release of liability is executed by the parents of the student acting as the animal caretaker.

The teacher is ultimately responsible for the care of any animals used for instructional purposes in the classroom. Students are not to be assigned the responsibility of handling, feeding or cleaning cages/aquariums of the animals. Evening custodial staff and weekend/holiday care givers should be instructed as to what should be done should an emergency arise involving the animal.

Many animals carry allergens, diseases, bacteria and parasites which may be transmitted to humans and cause serious illness. (Examples: dander, mites, Salmonella and tapeworms) Although handling of animals by children is discouraged, the teacher is expected to be knowledgeable concerning safe handling practices and personal cleanliness regarding animals and is expected to ensure that children practice handling and sanitation procedures.

Local, state and national laws, policies and regulations relative to the acquisition, care, disposition, temperament and protection (in the case of exotic, threatened or endangered species) of animals should be consulted prior to introduction of such animals into the classroom environment.

The provisions of this policy are not to be construed to prohibit or constrain conventional instruction in the normal practices of animal husbandry or exhibition of any livestock in

connection with any agricultural program on instruction or advanced students participating in advanced research, scientific studies, or projects.

If any employee fails or refuses to comply with the provisions of this policy, the School Board may dismiss, return to annual contract, or otherwise discipline that employee.

(Ref. F.S. 1001.42)(Adopted: 09/12/85, Amended: 02/17/94, 09/18/08)

4.51 HUMAN GROWTH AND DEVELOPMENT

A. Purpose

To articulate clear, instructional objectives throughout Clay District Schools by providing definitive guidelines for Human Growth and Development instruction in a program that will benefit the quality and longevity of the lives of the children of Clay County by promoting the establishment of sound health habits including the prevention of substance abuse and an awareness of the benefits of sexual abstinence and the consequences of early sexual involvement, such as AIDS, other sexually transmissible diseases, and teenage pregnancy.

Any programs that deal with human sexuality, presented by community organizations, School Board employees or through outside field trips shall reinforce the key objectives of this policy.

B. Focus

Focus shall always be on the whole person, including intellectual, physical, emotional, moral/spiritual, and social aspects as those terms are defined in “Foundations for Family Life Education” published by Educational Guidance Institute.

C. Key Objectives

The key objectives of instruction shall be: 1) directive teaching method; 2) abstinence based; 3) family centered; and 4) age appropriate. These concepts are defined more fully as follows:

1. Directive Teaching Method

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

2. Abstinence Based

- a. Abstinence shall be the instructional approach to reducing destructive behaviors among students including early sexual involvement, and activities which result in sexually transmitted diseases, AIDS, and teenage pregnancy.

Abstinence shall be presented in the classroom as a positive, practical and that promotes self-control, character and self-esteem.

- b. When presented with a dual message, such as “abstinence is best, but contraception works for those who do not choose abstinence,” teens are confused and/or the abstinence message is undermined by the contraceptive message. As opposed to this message, teachers shall instruct students that sexual activity among teens is not inevitable; nor irreversible. Teachers shall not initiate discussion or instruction of contraceptives. Student questions that deal with definitions of contraceptives may be answered, but must include the documented deficiencies with the definitions. No further contraceptive information shall be given unless and until an individual student’s parent or guardian provides written permission for further depth of instruction for the individual student. If further instruction is requested, the student involved shall be instructed individually by another educator that is qualified to provide such information to the individual student.

Notwithstanding, the provisions of the above paragraph, with parent permission, teachers may present factual information about contraceptives to be taught in the following high school elective courses: Health II, Family Dynamics and Child Development.

The factual information shall cover deficiencies, failure rates, and negative side effects. Students shall be made aware that sex outside of a monogamous, heterosexual marriage is risky behavior, therefore; abstinence is the expected standard. Instruction shall direct students to risk “elimination” rather than risk “reduction”.

3. Family Centered

- a. The irreplaceable foundation of the family, as the key unit of society; and parent/guardian involvement in the values formation of their children, shall be recognized by the instructor, making the family central to Human Growth and Development instruction.
- b. Instruction shall emphasize the positive value of sexuality within the context of marriage. Using the directive teaching method, the instructor shall include the value of marriage and the family to society, and shall assist the student in an understanding of the role played by marriage and the family in supporting society.
- c. Any instruction on homosexuality shall occur only in conjunction with education about sexually transmitted diseases.

4. Age Appropriate

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

needs and developmental characteristics of the majority of students at any given grade level. Guidelines for age appropriateness shall be “Foundations for Family Life Education – Curriculum Objectives.”

D. Teacher Role

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

E. Grades K-6

Using the aforementioned guidelines, the focus of instruction in grade K-6, in accordance with age appropriateness, shall be nutrition, substance abuse prevention, safety skills, health, family, character development, communication skills, relationships, human anatomy and physical development.

F. Grades 7-12

The curriculum adopted by the Clay County School Board for grades 7-12 is Teen Aid. It shall be taught in accordance with Teen Aid recommendations unless determined otherwise by the Board, following a public hearing on the matter.

G. Bannerman

Students enrolled in the Teenage Parent Program at the R. C. Bannerman Learning Center shall be allowed to be included in a Human Growth and Development curriculum/

instructional program to include contraceptives. Parents/Guardians shall give written permission upon entrance to the program.

Unmarried students in the Teenage Parent Program shall be encouraged to return to an abstinent lifestyle. Contraceptives shall be presented as risky behavior and their deficiencies stressed.

H. Amendments

No changes shall be made to the comprehensive health education and substance abuse prevention curriculum until notice of such action has been published in accordance with the Florida Administrative Procedures Act (Ch. 120, F.S.) and sufficient notice has been given to the parents, teacher of the courses, the advisory committee at each school and any other concerned citizens at least 21 days prior to the Board meeting at which such changes are to be discussed or implemented. A public hearing shall be required for any and all deletions, additions or suggested corrections to the sex education curriculum.

I. Outside Interagency Agreements Including Full Service School Program and Supplemental School Health Programs

All agencies or other service providers to the Clay County School System, including but not limited to those participating in the Full Service Schools Program and the Supplemental Basic School Health Service Programs, shall comply with the following: 1) No counseling or referral related to abortion or to abortion services. 2) No dispensing of contraceptives (including condoms). 3) No female, internal pelvic examinations. 4) No instruction or prescriptions for contraceptive availability or use, nor referrals for the aforementioned, unless a written parental consent has been received on a form approved by the Clay County School Board. Should any employee of any agency or service provided to the Clay County School System mentioned above violate any of the foregoing provisions, said employee shall immediately be removed from the Clay County School System and may not return for a period of not less than three (3) years and reinstatement shall not be permitted until said employee thoroughly understands and has agreed to abide by the policy. Any repeated offense shall be considered sufficient cause for permanent dismissal of the employee. This condition shall be included in the contracts into which the Clay County School Board enters with all such agencies or service providers.

(Adopted: 06/22/92)

J. Opt-Out Provision

Parents shall be informed that they may decide to “Opt-Out” their child from participation in Human Growth and Development classes at any grade level. No child will be excused from Human Growth and Development classes without the written permission of the parent/guardian. Human Growth and Development classes will be scheduled in identifiable time slots.

4.52 STUDENT PERSONNEL WITH IMMUNOCOMPROMISED STATUS

The Superintendent shall approve an individual instruction program for a student who is diagnosed with any immunocompromised medical condition. Verification of this medical condition shall be submitted by the student's physician, or a physician approved by the School Board. The physician shall be licensed to practice medicine by the State of Florida.

NOTE: The medical condition needs only to be stated in general terms, indicating it is an "immuno-compromised condition". To protect client confidentiality, identification of the actual disease is not required.

A. A student who has an immuno-compromised medical condition excluded from school with a physician's statement and shall not be penalized under the current absenteeism policy. A temporary IEP may be initiated under these circumstances.

B. Biting

Any child/adult should be considered infectious, and school staff should follow universal precautions. (See Guidelines to Prevent Transmission of Infectious Diseases)

1. **Student to Student Bite** – Wash site thoroughly with soap and water. Provide necessary first aid. Notify parents and principal, of each student, of the incident. Check students' current Tetanus-Diphtheria immunization status. Recommend contact with personal physician to determine need for blood testing and/or treatment according to CDC guidelines. Complete incident report.

2. **Student to Teacher Bite** – Wash site thoroughly with soap and water. Provide necessary first aid. Notify principal and parent of incident. Check employee's and student's Tetanus-Diphtheria immunization status. Refer teacher to Worker's Compensation physician for determination of need for blood testing and/or treatment according to CDC guidelines. Complete incident report.

C. The individual instructional program of the student shall identify the educational instructional delivery and shall follow the appropriate scope and sequence of student performance standards adopted by the School District. The following delivery system may be considered:

For illness:

1. The Homebound/Hospitalized Program: If evaluative data indicate eligibility for this exceptional student education program, the procedures set forth in State Board of Education Rules and the School District shall be followed.

2. If the medical provided determines that the student is not debilitated and this is to the student's well-being, then he/she will be returned to the regular classroom.

D. The student's medical condition shall be reevaluated every sixty (60) school days. The appraisal shall be performed by the student's physician.

E. School Health Supervisor shall be notified of any pending IEP for purpose of evaluating child with specific educational needs due to immuno-compromised needs.

- F. The confidentiality of the student's record shall be maintained pursuant to Section 228.09, Florida Statutes. The number of personnel who are aware of the child's condition should be kept at a minimum needed to assure proper care.

(Ref. F.S. 1001.41 and F.S. 760.50) (Amended: 07/17/97)

4.53 STUDENT DRIVER'S LICENSE, SCHOOL REQUIREMENTS

Additional requirements are established for a student below 18 years of age to obtain and hold a driver's license.

For a driver's license, the applicant must verify compliance with district attendance requirements or provide a hardship waiver. Written verification shall be obtained and notarized by the school principal. In lieu of the notarized form, an embossed school seal on prescribed Department of Education forms shall be accepted. The school may not refuse to provide written verification of compliance.

The Department of Highway Safety and Motor Vehicles may issue an operator's license to a minor at least 16 years of age, but younger than 18 years of age, if at any time of application, such minor:

- A. has received a high school diploma, high school equivalency diploma, a special diploma, or a certificate of high school completion.
- B. is enrolled in a public school, non-public school or home education program and satisfies district attendance requirements;
- C. is enrolled in a study course in preparation for the Test of General Education Development and satisfies relevant attendance requirements;
- D. is enrolled in other educational activities approved by the district school board and satisfies relevant attendance requirements;
- E. has been issued a certificate of exemption according to F.S. 1003.21.
- F. has received a hardship waiver under this section.

An applicant for an operator's license shall provide written verification of compliance with the above requirements, or a waiver as specified in the statute.

The Department of Highway Safety and Motor Vehicles shall provide written notification the minor and the minor's parent or guardian of its intent to suspend the driver's license of a minor because the minor is in noncompliance with the requirements in F.S. 1003.27(2) (b). The minor or the parent or guardian shall have 15 calendar days from the receipt of such notice to request a hearing before the principal or his/her designee for the purpose of reviewing the pending suspension. The school official receiving the request shall notify the department of the request and the district staff within 24 hours after receiving the request. The hearing must be

conducted within 30 calendar days after receipt of the request. If a hardship waiver is desired by the minor or parent/guardian, it shall be requested at the initial hearing. If the appeal is unsuccessful, the School Board shall immediately notify the Department of Highway Safety and Motor Vehicles, which shall suspend the minor's driver's license.

Upon receiving written verification that the minor is again in compliance, the Department shall reinstate the suspended license. Consistent with School Board Policy for Attendance, the student must be in compliance for 30 school days without an unexcused absence prior to the request for verification of compliance. If the minor again is not in compliance, the department shall suspend the minor's driving privilege until the minor reaches 18 years of age or again complies with attendance requirements as specified above. The minor or the minor's parent or guardian may request a hardship waiver.

The public school principal or the principal's designee shall waive the requirements for any minor under his/her jurisdiction for whom a personal or family hardship requires a driver's license for minor's or family's employment or medical care. The principal or his/her designee shall take into consideration the recommendations of teachers, guidance counselors, attendance assistants/social workers, and/or other school officials, prior to granting the waiver. Any person denied a hardship waiver by a school principal, or his/her designee, may appeal the decision from the Superintendent and from the Superintendent to the District School Board (See School Board Policy 4.20).

(Ref. F.S. 1003.27(2) (b))(Adopted: 10/19/89)(Amended: 09/16/93)

4.54 ABSENCE FOR OBSERVANCE OF RELIGIOUS HOLIDAYS

- A. A student shall be excused from attendance in school, in grades Kindergarten through 12, on a particular day or days or at a particular time of day, and shall be excused from any examination, study, or work assignment at such time for observance of a religious holiday or because the tenets of his/her religion forbid secular activity at such time. It shall be the responsibility of the administrative personnel and teachers of each school to make available to each student so excused an opportunity to make up any examination, study, or work assignment, which has been missed in the same manner as for all other excused absences.
- B. For the purpose of this policy, approved religious holiday means a day normally recognized and observed in the community by members of the specific established religious group, denomination or church to which the excused student belongs.
- C. The parent or guardian of a student who is entitled to be excused from attendance pursuant to this policy shall be required to give written notice to the principal or other school personnel not more than 5 days or less than one day prior to the absence. A written excuse for the absence shall not be required upon return to school. Further, no adverse or prejudicial effects shall result to any student availing himself/herself to the provisions of this policy.

- D. In the event that the validity of a religious holiday or the students membership, practice or observance of the tenets of a religious group, church or denomination is questioned by the school, the school principal shall require and accept as prima facie proof, a notarized statement to that effect from an adult student or from the parent or guardian of a minor student.

(Ref. F.S. 1003.21)(Adopted: 03/15/90)

4.55 TRANSPORT OF BEVERAGE CONTAINER INTO OR OUT OF STADIUM OR GYMNASIUM

No person shall be permitted to pass through the entry areas of any school stadium or gymnasium, whether entering the facility or exiting it, in possession of any container capable of holding more than 1 ounce of any liquid. Each such area shall be posted with signs, which shall be uniform throughout the school system, notifying persons of this prohibition.

(Ref. F.S. 1001.41)(Adopted: 05/17/90)

4.56 SCHOOL IMPROVEMENT AND ACCOUNTABILITY

A. School Improvement Plans

1. Beginning in 1992-93 each principal shall provide leadership in the development of a school improvement plan for implementation in the following year. School Advisory Councils shall assist in the preparation of the plan.
2. Each school improvement plan must:
 - a. Address the eight state goals and student performance standards.
 - b. Be based on a needs assessment.
 - c. Include school goals/objectives.
 - d. Describe strategies to be employed.
 - e. Provide specific time lines for implementation of strategies.
 - f. Estimate the resources required to fulfill each strategy.
 - g. Identify individuals, groups and/or committees that will be responsible for implementing each strategy.
 - h. Identify MEASURABLE indicators for all objectives.
 - i. Include a statement of adequate progress for all objectives.
 - j. Provide an annual checklist, which is designed by the principal and the School Advisory Council chairperson.
 - k. Provide adequate progress report for previous year's school improvement plan.
 - l. Address requirements of the Southern Association of Colleges and Schools.
3. Improvement plans shall be submitted to and approved by the School Board at the regular November meeting each year. New, amended or continuation plans for succeeding years shall be submitted and approved by the School Board prior to November 30, or as directed by the district level.

4. Each year, prior to the submission of the school improvement plans to the School Board, they will be sent to the Assistant Superintendent for Instruction or his/her designee for initial review on or before September 20. Should any school's plan not meet the requirements listed in A-2, it must be sent back to the School Advisory Council for revision.
5. Annually, the results and outcomes of improvement plans shall be evaluated with the assistance of the School Advisory Council, and this evaluation will be used as part of the needs assessment for each succeeding new, amended or continuation plan.

B. Improvement Plan Approval Procedures

1. School improvement plans are submitted to the School Board for approval. District review or revision of the school improvement plan in preparation for presentation to the School Board must be done with the collaboration and approval of the School Advisory Council.
2. The School Board approves or declines to approve each plan. If all plans are approved, the Superintendent and Board chairperson certify to the Commissioner of Education that the plans have been approved for the coming year together with any necessary report that a school has not made adequate progress. The plans themselves are not submitted to the Commissioner.
3. If a School Board declines to approve a plan, in returning the plan to the School Advisory Council for revision, it must state (a) the elements within the plan it found to be problematic, and (b) recommendations for change, which would enable the plan to be approved. The School Advisory Council is to then take the comments of the Board and consider revising and resubmitting the plan based upon the Board feedback. The Board then approves or disapproves any revision.
4. If the School Advisory Council determines that the Board's suggested changes are not consistent with its goals and/or does not desire to modify the plan, then the Council and Board will agree to meet with a facilitator(s) mutually selected from the options in B6 in an effort to resolve the conflict.
5. To assist in resolving the conflict and facilitating approval of the School Improvement Plan, the Board and the Council agree to use one of the following options:
 - a. A local team consisting of at least two Assisting Change in Education facilitators, agreed upon by the School Board and School Advisory Council.
 - b. A facilitator from outside the Clay County School System, agreed upon by the School Board and the School Advisory Council (to be funded from school improvement funds).

- c. District level staff, agreed upon by the School Board and the School Advisory Council.
 - d. Department of Education assistance team.
 - e. Other method of conflict resolution, agreed upon by the School Board and the School Advisory Council.
6. If the conflict is not resolved, then formal notice is given by the School Board to the Florida Commission on Education Reform and Accountability that additional assistance will be required. The School Advisory Council may also notify the Commission.

C. District Improvement and Intervention Team

- 1. Assistance and Intervention shall be provided to any school, which does not make adequate progress toward its goals and objectives as defined by state law, State Board Rules, and School Board Policy.
- 2. Any school that earns a school grade of “D” or “F” will be considered as not meeting adequate progress for that school year. The School Board will assign the Instructional Division to work with the identified school(s), School Advisory Council and principal to create a plan for improvement, which will be reflected in the School Improvement Plan the ensuing year.
- 3. Requirements for schools not making adequate progress for two consecutive years are as follows:
 - a. The Superintendent or Superintendent’s designee shall appoint an intervention team of at least five persons to study the school and the school’s improvement plan to determine what the school needs to do to make adequate progress. The team shall complete its study and recommendations by November 10 of the school year following two consecutive school years of inadequate progress.
 - b. The school shall implement the recommendations of the intervention team by the beginning of the second semester of the school year in which the study occurred. All recommendations of the Improvement and Intervention Team will be submitted to the School Board for approval through amendments to their School Improvement Plan by the December Board meeting.
 - c. The Superintendent is responsible for identifying and executing statutory mandates pertaining to low performing schools under his/her jurisdiction.
- 4. Schools not making adequate progress for three consecutive years shall comply with requirements of state law, State Board Rules, and directives from the Florida Department of Education.

D. Waivers of District School Board Rules

A request for a waiver of District School Board policy may be requested by a school. The request must be submitted using the required District School Board form and submitted to the Assistant Superintendent for Instruction on or before August 20. The waiver will be forwarded to the Superintendent for recommendation. The Superintendent will present the waiver(s) to the Board for action at the regular September meeting.

(Ref. F.S. 1008.345; 1001.51(22); 1001.42(3))(Amended: 09/06/02)

4.57 PARENT INVOLVEMENT ACCOUNTABILITY

A. Title I

The School District of Clay County is committed to a Parental Involvement Plan in the Title I Program and adheres to regulations stated in Section 1118 (c-f) of the No Child Left Behind Act of 2001.

1. The School District of Clay County will involve parents in the joint development of this plan by:
 - a. inviting Title I parents to be part of each school improvement committee with the given task of developing individual School Improvement Plans showing an alignment with Title I and parent involvement requirements and procedures.
 - b. convening district Parent Advisory Council meetings and school annual meetings to inform parents of their school's participation in the development of the Parent Involvement Plan and their right to be involved.
2. The School District of Clay County will provide coordination, technical assistance and other support necessary to assist participating schools in planning and implementing effective parent involvement programs by:
 - a. conducting ongoing site visits,
 - b. providing materials and training not otherwise available to help parents with their child's achievement.
 - c. educating teachers, student services personnel, principals, and staff on how to reach out to, communicate with, and work with parents as equal partners,
 - d. ensuring, to the extent possible, that information is sent home in language and form parents can understand,
 - e. arranging for in-home conferences, if necessary.
 - f. providing information on literacy training available in the community,

- g. ensuring school-parent compacts are being used to outline responsibilities of the school staff, parents, and students in striving to raise student achievement and explain how an effective home-school partnership will be developed.
3. The School District of Clay County will build the school's capacity for strong parental involvement by:
- a. providing assistance to participating parents in such areas as understanding the National Education Goals, the State's Content Standards and State Student Performance Standards,
 - b. encouraging the formation of partnerships between schools and local businesses that include a role for parents,
 - c. providing resources for parents to learn about child development and child rearing issues that are designed to help parents become full partners in the education of their children,
 - d. involving parents through an annual survey in the development of teacher training to improve the effectiveness of instruction and services to participating children,
 - e. approving reasonable and necessary expenses associated with parental involvement activities, including transportation and child care costs, to enable parents to participate in school-related meetings and training sessions,
 - f. encouraging meetings at a variety of times, such as mornings and evenings, in order to maximize the opportunities for parents to participate in school-related activities,
 - g. providing any reasonable support for parental involvement activities at the request of a participating Title I parent,
 - h. conducting district wide Parent Advisory Council meetings,
 - i. providing information about the availability of federally funded Parent Information and Resource Centers (PIRSs).
4. The School District of Clay County will coordinate and integrate parental involvement strategies with programs (when applicable) such as Head Start and State-run preschool programs by:
- a. reviewing school curriculum council meeting minutes for the integration and coordination of parent involvement activities,
 - b. coordinating with all departments to enhance the integration of parental involvement strategies with pre-school programs in the community.

5. The School District of Clay County will conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of the parental involvement plan as it relates to *increased academic quality, *strategies for increasing participation and *identifying barriers to greater parent participation by:
 - a. distributing an annual survey to solicit such information of all participating Title I parents, Title I teachers, administrators, classroom teachers, and guidance personnel,
 - b. inviting participating Title I parents to an annual district meeting to review and discuss parental involvement effectiveness and identify barriers to greater parent participation,
 - c. conducting regular meetings of the District Parent Advisory Council, with parent representatives from each eligible Title I school.

6. The School District of Clay County will use the findings for the evaluation by combining the data from the surveys and the minutes from the district annual meeting in order to:
 - a. make recommendations to each participating school for parent involvement plan revisions,
 - b. provide suggestions for designing school improvement plans, as they relate to parent involvement.

The School District of Clay County will ensure that one percent (1%) of the total district Title I allocations will be used to implement parent involvement plans and procedures, and that ninety five percent (95%) of these funds will be spent at the school level.

B. Basic Instruction

The School Board of Clay County is committed to a Parental Involvement Policy and adheres to regulations stated in the Family and School Partnership for Student Achievement Act, Section 1002.23, Florida Statute.

The School District of Clay County will involve parents by coordinating and integrating parental involvement strategies with school improvement, Title I, Title VI, Business, Faith-Based and other partners.

The School District of Clay County will provide coordination, technical assistance and other support necessary to assist schools in planning and implementing effective and comprehensive parent involvement programs by:

1. Encouraging parents to play an integral role in assisting student learning so they can be partners in decisions that affect their children and families.
2. Providing materials and training not otherwise available to help parents with their child's achievement.

3. The District providing professional development opportunities for staff members to enhance understanding of effective parent involvement strategies through the District Professional Development Plan.
4. Ensuring, to the extent possible, that information is sent home in language and forms parents can understand.
5. Ensuring that parents are welcome in schools and that their support and assistance are valued.
6. Providing information on resources available in the community to strengthen school programs, family practices, and student learning.

The School District of Clay County will build the school's capacity for strong parental involvement by:

1. Encouraging the formation of partnerships between schools and local businesses that include a role for parents.
2. Providing resources for parents to learn about child development and child rearing issues that are designed to help parents become full partners in the education of their children.
3. Encouraging meetings at a variety of times, such as mornings and evenings, in order to maximize the opportunities for parents to participate in school-related activities.

The School District of Clay County will conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of the parental involvement plan as it relates to:

1. Increased academic quality.
2. Strategies for increasing participation.
3. Identifying barriers to greater parent participation.

The School District of Clay County will use the findings of the evaluations to:

1. Design strategies for school improvement.
2. Revise, if necessary, the parent involvement policies.
3. Report the findings to the State Board of Education.

(Amended: 10/16/03, 05/18/06)

4.58 USE OF TELECOMMUNICATIONS AND NETWORKS: TERMS AND CONDITIONS

Electronic network facilities; i.e., computers, electronic mail, conferences, bulletin boards, data bases, and access to the Internet, referred to as “the network”, are to be used in a responsible, efficient, ethical, and legal manner in accordance with the mission of the School District of Clay County.

Information retrieval from the network shall be deemed in the same manner as information retrieval from reference materials. Use shall be made of resources, with guidance from faculty and staff, which will enhance the learning environment. At the school, student access to and use of the network will be under teacher direction and monitored by a School Board employee as any other classroom activity. Web filtering tools that screen incoming text and graphics shall be utilized to restrict user access to material that is consistent with the standards of selection of materials specified in Florida Statutes and with the educational mission, goals, and policies of the school district.

Network users must adhere to strict guidelines known as Terms and Conditions for Use of Telecommunications and Networks that have been developed by the district committee and documented in the Manual for Instructional Technology Use. A copy of the Terms and Conditions shall be distributed to parents and students in the Student Code of Conduct. A copy shall be distributed to district employees in the Employee Handbook. If a district user unacceptably violates any of these provisions, future access to the network will be denied. In addition, serious violations may result in disciplinary action or legal action in accordance with Clay County policies. Signature on the Code of Student Conduct acknowledgement or the Employee Network Responsibility Contract is an obligation to comply with the terms and conditions. Failure to return the acknowledgement or Employee Contract will not relieve a student, parent or employee from responsibility to know the contents and will not excuse non-compliance.

The School District of Clay County is subject to Florida Statutes regarding public information access. The guidelines are adopted and incorporated by reference in this rule.

(Adopted: 03/21/96)(Amended: 09/28/99, 11/21/00, 12/16/04, 08/20/09)

4.59 TECHNOLOGY SERVICES

- A. Technology services shall be established and maintained in each school center as identified in the School Technology Plan. The School Technology Plan is the responsibility of the individual school inclusive of the School Advisory Committee.
- B. The purpose of technology services is to support computer literacy standards required by Sunshine State Standards and to provide students and teachers with access to technology resources to support, enrich, and vitalize the school’s instructional program.
- C. The District shall develop a Manual for Instructional Technology Use, which shall include Terms and Conditions for Use of Telecommunications and Networks and shall be approved and adopted by the Board.

(Ref. F.S. 1003.49 and 445.049)(Revised: 08/20/09)

4.60 EXCEPTIONAL STUDENT EDUCATION SPECIAL PROGRAMS AND PROCEDURES

The District shall adopt and implement the Exceptional Student Education Special Program and Procedures Manual, and Policies for the Provision of Specially Designed Instruction and Related Services Manual in compliance with Florida Statutes.

The District shall adopt and implement the Exceptional Student Education Admissions and Placement as approved by the Superintendent.

4.61 SCHOOL REQUEST OF PAYMENT FROM STUDENTS

A. Purpose

1. The School Board acknowledges the provision within Article IX, Section 1, of the Florida Constitution, which state, in relevant part, as follows:

The education of children is a fundamental value of the people of the State of Florida. It is, therefore, a paramount duty for the state to make adequate provision of the education of all children residing within its borders. Adequate provision shall be made by law for a uniform, efficient, safe, secure, and high quality system of free public schools that allows students to obtain a high quality education ...

The School Board of Clay County affirms the state's duty to make adequate provision for this education for every student in the K-12 public school system, subject to the requirements of Florida and federal laws.

This policy is intended to provide guidelines for interpretation of a portion of this constitutional provision and the relevant laws. This policy neither adds nor removes the obligation that adequate provision be made by law to provide a uniform system of free public schools, but merely provides guidance for implementation, enforcement and compliance therewith.

2. No fee or charge may be required of any student as a condition of attendance and participation for credit in any class unless authorized and participation for credit in any class unless authorized under §1000.01, Florida Statute, or any other federal or state statutes. Principals are permitted to request, as set forth in § A-5 herein, that students voluntarily purchase certain items or voluntarily pay to participate in an activity, which may aid in their learning. If a custodial parent/guardian does not make a voluntary payment or purchase a particular item, consumable or otherwise, or does not pay for an activity, and if the item is used and/or the activity is maintained, the school shall provide this item or activity without cost to the student of that custodial parent/guardian or may choose to forego use of the item or engaging in the activity as part of the instructional program. Schools are required to provide technical and other resources at the school center for student use.
3. The basic supplies students need to complete work, such as paper, pens, pencils, notebooks, and rulers, are the responsibility of the parent or guardian and are not subject to the limitations of this policy.

4. There are items or activities that may be part of the regular curriculum of the schools or courses where students may be requested, as set forth in § A-5 herein, to pay fees based upon the associated costs. This policy identifies these costs, which may be requested of a student, as set forth in § A-5 herein, and are in addition to those otherwise allowed by law, if any.
5. Any request for money from a student shall be in writing, addressed to the student's parent or legal guardian, and shall clearly state that: (a) no penalty of any type will be imposed against the student based upon a failure to pay; (b) no student shall be denied the right to participate for failure to pay; (c) the principal may forego a planned activity or use of a particular item based upon the collection of insufficient funds to cover the cost of the item or activity; and (d) this request is for a voluntary payment. This notice shall also be provided in the schools' or students' handbook or addendum thereto, which is published and distributed to all students at the beginning of each school year.
6. All principals, assistant principals, and teachers shall be notified of this policy.
7. This policy does not apply to the purchase of uniforms by students attending schools which require uniforms or particular clothing for attendance pursuant to the school board's dress code policy.

B. Acceptable Requests for Payments

1. Students may be requested to pay the costs of materials which may be used for a take-home project. Such charges must be based on the actual cost of the materials and are subject to § A-5 herein.
2. In physical education class at secondary schools, students may be required to shower after physical activity. A student may purchase towel service and a physical education class uniform if provided by the school. The student may bring a towel or appropriate clothing from home for the physical education class.
3. Schools which sell items may request payment from students only for personal items. Principals must exercise caution to determine personal items from those that are clearly the responsibility of the school to provide.
4. Field trips, both off-school grounds and in-school field trips, are intended to enrich the educational experience of students and shall be related to the curriculum. Schools are permitted to request, subject to § A-5 herein, direct payments from a student for a field trip activity which occurs during school hours. If a custodial parent/guardian does not pay for a field trip, the student shall not be denied the opportunity to participate and the school shall arrange for the student to attend without payment, provided other prerequisites (such as, parental permission) have been met. The principal may forego a planned field trip based on insufficient payments to cover the cost of the field trip.
5. When students are given reading assignments which are not in the textbooks or other materials provided for all students' use, adequate copies of these supplemental

books and materials, and/or adequate technological equipment shall be available for use or loan in the school center or some other reasonably accessible location. Certain individual projects (such as book reports and term papers) may require use of reading materials available at a public library.

- a. Schools may, subject to § A-5 herein, offer to sell books to students for the reading assignments. Purchase of these materials is an option and shall not be required in order to a student to complete the assignment.
 - b. Charges for these materials shall be based on the cost of the materials to the school.
 - c. These books/reading materials may be made available to students to purchase at school, i.e., book fairs.
6. Students who choose to complete an enhanced project which costs more than the minimum cost of a class project may be charged for the cost of the additional materials. The choice of an enhanced project of the choice of a regular class project will not result in a higher grade for the student who chooses an enhance project.
 7. Cap and gown sales/rentals are appropriate, although no student shall be denied an opportunity to participate in graduation ceremonies by virtue of an inability to pay for cap and gown sales/rentals.
 8. Students may be requested to pay fees for the cost of rental and cleaning of uniforms needed for extracurricular projects which occur outside of regular school hours.
 9. Of a student loses or damages district property, including library books and textbooks loaned to said student, said student shall be required to pay for, replace, or repair said district property.
 10. Students may be charged a modest fine for library books returned late.
 11. Lockers: As applicable, the school may furnish either a book locker and/or physical education locker for each student. The school has a right to require that only locks in a master series of locks, which can be opened by the school's master key, be used on these lockers. The student should have the opportunity to purchase or rent such locks at the school's cost.
 12. Parking fees: High school parking fees may be charged.
- C. Voluntary and Extracurricular Activities
1. Extracurricular activities are not considered a part of this policy, and costs associated with these activities may be charged to the student.
 2. Schools may charge students costs associated with activities which occur outside of school hours. Student participation is optional. There can be no penalty if the

student does not participate, nor may the student be rewarded or receive extra credit for participation.

3. Students may be requested to pay for items and admission tickets for events outside school hours, including athletic events, concerts, and theater productions. Attendance at these events shall be considered optional. Any student who attends shall not receive extra credit nor shall the student who does not attend be penalized.

(Statutory Authority: §§ 1001.41, 1001.42, 1001.43, F.S.; Laws Implemented: §§ 1001.41, 1000.04, 1001.32, F.S.; Fla. Const. art. 9 § 1.) (Adopted: 07/19/07)

4.62 SELECTION OF NAMES FOR CAREER ACADEMIES, APPRENTICE PROGRAMS AND CAREER EDUCATION

- A. The School Board acknowledges that because of the dynamic growth of business in Florida, there is a critical need for work force education programs which prepare and train Clay County high school students to move directly into the work force as highly skilled, highly trained employees.
- B. The School Board further acknowledges and affirms that the needs of students for the skills and training required for success can be effectively met by Clay County schools by the provision of work force education through apprenticeships, career academies, career education programs, career clusters and ready-to-work or school-to-work programs.
- C. The establishment of such training programs in Clay County schools can best be accomplished by creating, promoting, soliciting and encouraging participation by and partnership with quality local, national and international businesses and industries which demonstrate a willingness to contribute and invest funding, facilities, equipment, expertise, personnel and student training in partnership and collaboration with School Board personnel.
- D. This Board recognizes that apart from the benefit of having an available trained work force, the expense to business and industry of participation in such programs is largely a pro bono contribution to the educational community. Accordingly, it is the policy of this Board that in those instances in which the contribution/investment is significant to the degree that were it not for the contribution/investment by the particular business/industrial entity, the career academy, career education program or apprenticeship program would not exist, or the quality of such program would be drastically reduced, the specific program may, if requested by the business entity, bear the name of the business/industrial entity that has made its existence possible.
- E. The naming of such academies and programs shall be governed by the following procedure:
 1. The Assistant Superintendent of Instruction shall submit a request to the Superintendent with appropriate documentation and background information to justify the request along with the specific academy or program name being sought.

2. It shall be the responsibility of the Superintendent to determine that the quality and character of the business/industrial entity whose name will be linked with the academy or career education program is such that it is an asset to and reflection of the good reputation and image of the Clay County schools.
 3. After review and approval by the Superintendent, the matter shall be placed on the consent agenda of the next regularly scheduled board meeting for action by this Board.
- F. The degree of participation and contribution by the business entity shall be a primary consideration in whether or not to include the name of the business in the name of an academy or program.
 - G. The decision to include the name of a business or industry in the name of an academy or educational program shall be memorialized by a written contract which shall have a term of no more than one (1) year but which may be renewed annually for five (5) consecutive years before it must be re-presented to this Board for approval.
 - H. The use of the academy or program name by the business/industry entity after which it is named for advertising purposes to the general public shall be strictly prohibited.

(Ref. 1001.41; 1001.42) (Adoption: 05/15/08)

4.63 LIGHTNING SAFETY AND PROTECTION

Lightning is universally recognized as a dangerous phenomenon which is particularly common in Florida. Athletic teams and organizations which practice, perform and compete outdoors are at great risk of injury due to lightning strike during inclement weather. The creation and district-wide implementation of appropriate standardized lightning safety procedures which include, in addition to the use of the “flash and bang” method of lightning detection, the mandatory uniform use of electronic lightning detection devices during outdoor athletic events and practices would greatly reduce the likelihood of lightning caused injury or death of athletic event participants.

The Superintendent, or his/her designee, shall draft guidelines which set forth lightning safety and protection procedures for outdoor events. These guidelines shall set forth mandatory minimum procedures to be followed for the protection of students and student participants at outdoor practices, performances and competitions and the selection and use of electronic lightning detection devices. The guidelines shall be put into routine practice at every school in the school district. The guidelines shall be updated annually prior to the beginning of the new school year.

(Ref. F.S. 1001.42)(Adopted: 07/17/08)

4.64 SERVICE ANIMALS IN SCHOOLS

- A. The School Board of Clay County, Florida, acknowledges its responsibility to permit students and/or adults with disabilities to be accompanied by a “service animal” in its school buildings,

in classrooms, and at school functions, as required by the Americans With Disabilities Act, 28 CFR Part 35, subject to the following:

1. All requests for an individual with a disability to be accompanied by a service animal must be addressed in writing to the Superintendent of Schools at 900 Walnut Street, Green Cove Springs, Florida, 32043, and must contain required documentation of animal vaccinations. This written request must be delivered to the Superintendent of Schools' office at least 10 business days prior to bringing the service animal to school or a school function.
2. Owners of a service dog must provide annual proof of the following vaccinations: DHLPPC (Distemper, Hepatitis, Leptospirosis, Parainfluenza, Parvovirus, Coronavirus), Bordetella, and Rabies.
3. Owners of service miniature horses must provide annual proof of the following vaccinations: Equine Infectious Anemia (Coggins Test), Rabies, Tetanus, Encephalomyelitis, Rhinoneumonitis, Influenza, and Strangles.
4. All service dogs must be spayed or neutered.
5. All service animals must be treated for, and kept free of, fleas and ticks.
6. All service animals must be kept clean and groomed to avoid shedding and dander.
7. Owners of service animals are liable for any harm or injury caused by the animal to other students, staff, visitors, and/or property.
8. The animal must be a dog or, in specific circumstances, a miniature horse. No other species of animal, whether wild or domestic, will be permitted in schools as a "service animal."
9. The animal must be "required" for the individual with a disability.
10. The animal must be "individually trained" to do work or a task for the individual with a disability.
11. Special Provisions/Miniature Horses: Requests to permit a miniature horse to accompany a student or adult with a disability in school buildings, in classroom, or at school functions will be handled on a case-by-case basis, considering:
 - a. The type, size, and weight of the miniature horse and whether the facility can accommodate these features.
 - b. Whether the handler has sufficient control of the miniature horse.
 - c. Whether the miniature horse is housebroken.
 - d. Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

12. Removal of a Service Animal: A school administrator may ask an individual with a disability or his parents to remove a service animal from a school building, a classroom, or from a school function if any one of the following circumstances occurs:
 - a. The animal is out of control and the animal's handler does not take effective action to control it.
 - b. The animal is not housebroken.
 - c. The animal's presence would "fundamentally alter" the nature of the service, program, or activity.
13. A service animal must have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control.
14. The school system is not responsible for the care or supervision of a service animal, including walking the animal or responding to the animal's need to relieve itself.
 - a. The school district is not responsible for providing a staff member to walk the service animal or to provide any other care or assistance to the animal.
 - b. Students with service animals are expected to care and supervise their animal. In the case of a young child or a student with disabilities who is unable to care for or supervise his service animal, the parent is responsible for providing care and supervision of the animal. Issues related to the care and supervision of service animals will be addressed on a case-by-case basis in the discretion of the building administrator.

(F.S. 1001.32(2), 28 CFR Part 35, Adopted: 06/16/11)