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November 18, 2022

Mr. Shane Andrew, Superintendent
Alachua County Public Schools
620 East University Avenue
Gainesville, Florida 32601

Dear Superintendent Andrew,

This letter is to follow-up from the presentation to the State Board of Education on October 19, 2022, regarding district policies and procedures for student services sent to the Department. Thank you for reaching out to the Department and your willingness to work with the Department.

Florida parents have a right to be fully informed of the education and the educational services being provided to their students. The Parents' Bill of Rights, which is now codified in chapter 1014 and section 1002.20, Florida Statutes (F.S.), outlines parents' rights regarding the education of their children. Additionally, section 1001.42(8)(c), F.S., requires a district to notify parents if there is a "change in the student's services or monitoring related to the student's mental, emotional, or physical health or well-being and the school's ability to provide a safe and supportive learning environment for the student." This could include matters related to a student's privacy, name and pronoun usage, and restroom and locker room usage. As a reminder, parents have civil and administrative remedies for school district violations of section 1001.42(8)(c), F.S. Also, please be aware of the requirements of the State Board of Education found in Rule 6A-10.086, Florida Administrative Code, addressing parental notification regarding bathrooms, locker rooms, and dressing rooms.

After initial review of the policies and procedures submitted by Alachua County Public Schools, it appears that some of these policies or procedures may have not yet been updated to comply with revised Florida law and State Board of Education rule. This list is not exhaustive, and your district should strive to review all its policies and procedures for other provisions that may not comport with Florida law. Specifically,

- "Core Guide Components: Eight Action Items – Action 1: Student Privacy – All students' privacy rights will be respected and personal information about the student, including their sexual orientation, gender identity, and gender expression, will not be shared without the students' or parents' consent." (p. 3).
- "Core Guide Components: Eight Action Items – Action 2: Name and Pronouns – All students are to be referred to by their consistently-asserted name and pronoun(s) as provided by the student, affirming their identity." (p. 3).
- "Core Guide Components: Eight Action Items – Action 3: Restrooms/Locker Rooms – All students are allowed to access restrooms and locker rooms that are consistent with their gender identity or be provided appropriate accommodations. If accommodations are desired, decisions should be made on a

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SENIOR CHANCELLOR


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case-by-case basis, and should be student-driven, with the support of district staff and participation of parents where possible and appropriate.” (p. 3).

- “Core Guide Components: Eight Action Items – Action 6: Gender-based Rules – If students are to be separated based on gender, students should be permitted to be grouped with peers of the gender with which they identify. This should be a student-driven decision based on the student’s comfort and safety, with the support of district staff and participation of parents where possible and appropriate.” (p. 4).

The Department will provide an update on district policies and procedures for student services at the next State Board of Education meeting, which will include a status report of where each district is in the process of reviewing and, if necessary, amending its policies. We understand that you are evaluating and revising your policies. Therefore, please let us know the status of your evaluation by December 9, 2022, so that we can inform the State Board. If you have an updated policy or procedure or clarification on the documents previously submitted, please email to ParentalRights@fldoe.org. Please feel free to contact me directly with questions or requests for assistance.

Sincerely,



Jacob Oliva
Senior Chancellor