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November 18, 2022

Ms. Tracie Snow, President  
Florida School for the Deaf and the Blind  
207 North San Marco Avenue  
St. Augustine, Florida 32084

Dear President Snow,

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.

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, depending on the unique factual circumstances, 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 the Florida School for the Deaf and the Blind, 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 school should strive to review all its policies and procedures for other provisions that may not comport with Florida law. Specifically, the "Florida School for the Deaf & the Blind: Parent-Student Handbook 2022-23," includes the following:

- "Operational Policy & Procedure 10.49 – Transgender Students."  
"III. Detailed Policy Statement – A. Names, Pronouns and Student Records – Students have the right to be addressed by the name and pronouns that they use. Deliberately misgendering a student constitutes bullying and harassment as defined in FSDB OPP 10.29 and is prohibited. If a student's preferred name and pronouns are different from their legal name and pronouns, FSDB shall use the student's chosen name and pronouns in all cases where a legal name is not required to be used by law." (p. 2).

JACOB OLIVA  
SENIOR CHANCELLOR

- “Operational Policy & Procedure 10.49 – Transgender Students.”  
“III. Detailed Policy Statement – B. Restrooms, Locker Rooms, Dormitories and other Gender-Segregated Spaces – Students have the right to use gender-segregated spaces, such as restrooms, locker rooms, and dormitories, that match their gender identity. Students shall not be made to use facilities that do not match their gender identity or single-user non-gendered areas separate from their non-transgender peers.” (p. 2).
- “Operational Policy & Procedure 10.49 – Transgender Students.”  
“III. Detailed Policy Statement – C. Athletics – In accordance with policy set forth by the Florida High School Athletic Association (FHSAA), transgender students have the opportunity to participate in athletics in a manner that is consistent with their gender identity and expression. For more information regarding the eligibility process, please see 2020-21 FHSAA Handbook, Administrative Policies (Eligibility Criteria), 16.8 Gender Identity Participation.” (p. 2).
- “Operational Policy & Procedure 10.49 – Transgender Students.”  
“III. Detailed Policy Statement – E. Confidentiality of Personal Information – Information including a student’s transgender status, birth name, sex assigned at birth, and medical history is subject to The Family Education Rights and Privacy Act (FERPA), and is not to be shared with classmates, parents, teachers, or others unless there is an educationally relevant reason for such disclosure.” (p. 2).
- “Florida School for the Deaf & the Blind: FSDB Transgender Students Policy Training – Operational Policy and Procedure 10.49, FSDB Trainings for Staff and Faculty.” (pp. 88-97).

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. Therefore, please evaluate your policies and 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](mailto:ParentalRights@fldoe.org). Please feel free to contact me directly with questions or requests for assistance.

Sincerely,



Jacob Oliva  
Senior Chancellor