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November 18, 2022

Mr. Rocky Hanna, Superintendent
Leon County Schools
2757 West Pensacola Street
Tallahassee, Florida 32304

Dear Superintendent Hanna,

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 Leon County 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,

- "Federal and State Law, Board Policy and Best Practices – Athletics – Best Practice: FHSAA Bylaws, include Gender Equality (2:4)... Gender Identity Participation (16.8): All eligible students should have the opportunity to participate in interscholastic athletics in a manner that is consistent with their gender identity and expression, irrespective of the gender listed on a student's birth certificate and/or records. The process for transgender students to participate in same-sex athletics is described in section 16:8." (p. 7).

JACOB OLIVA
SENIOR CHANCELLOR

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- “Federal and State Law, Board Policy and Best Practice – Privacy – Best Practices: School personnel will not disclose information about a student’s sexual orientation, gender identity or questions they may have about their sexual orientation or gender identity. A student’s sexual orientation, gender identity or gender expression should not be shared with others without their input and permission.” (p. 10).
- “Federal and State Law, Board Policy and Best Practices – All Bathrooms, Locker Rooms and Dressing Rooms (p. 8).

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