

Ms. Monica Colucci, Board Member

SUBJECT: COMPREHENSIVE REVIEW OF ALL MIAMI-DADE COUNTY PUBLIC SCHOOLS (M-DCPS) WEBSITES, DIGITAL LINKS, RESOURCES, AND LEARNING MANAGEMENT SYSTEM(S)

COMMITTEE: ACADEMICS, INNOVATION, EVALUATION & TECHNOLOGY COMMITTEE

LINK TO STRATEGIC PLAN: INFORMED, ENGAGED, & EMPOWERED STAKEHOLDERS

At the Board Meeting of December 14, 2022, Ms. Monica Colucci, Board Member, proffered Board Item H-11 Revised, Good Cause, District Compliance with Florida Law. The item directed the Superintendent to “review existing Board policies, current established policies, practices, and procedures, with respect to the development, review, approval, and posting of manuals, guidelines, documents, and any other written guides, which are not embedded in Board policy, relating to academic programs, student support services, and curriculum. Board Item H-11 was unanimously approved by the Board. H-11 was presented, as a result of a letter received by the District from the Florida Department of Education (FDOE), dated November 18, 2022. The letter specified that a document entitled “Miami-Dade County Public Schools – 2020-2021 Guidelines for Promoting Safe and Inclusive Schools, Supporting Transgender and Gender Expansive Students” (guidelines) was not in compliance with current Florida law or State Board of Education rule.

On February 6, 2023, the Superintendent transmitted a Staff Follow-up to Board agenda item H-11. The follow-up stated that “The comprehensive review showed that most of the documents created by staff are tied to one or more School Board policies and/or Florida Statutes” and that “as a new procedure, we will transmit to the Board any substantive manuals pertaining to academic programs, student support services, and curriculum.” Furthermore, the follow-up goes on to say that “A document undergoes various levels of review within a department and bureau and is often reviewed by other departments if there is content in the document that is relevant to these departments. The final approval of any document, including its dissemination, is determined by the designated bureau chief.”

Although the follow-up from the Superintendent emphasizes that a comprehensive review was done of the Office of Academics and Transformation (OAT), there are websites, digital links, and resources for departments that contain links that include information that may not comply with current Florida law or State Board of Education rule, being mindful that *The Parents’ Bill of Rights*, is now codified in chapter 1014 and section 1002.20, Florida Statutes (F.S.), which outlines parents’ rights regarding the education of their children.

Florida parents have a right to be fully informed of the education and the educational services being provided to their children.

CS/CS/HB 1557 (2022), *Parental Rights in Education*, now codified in section 1001.42, F.S.in general: “Requires district school boards to adopt procedures that comport with certain provisions of law for notifying student’s parent of specified information; requires such procedures to reinforce fundamental right of parents to make decisions regarding upbringing and control of their children; prohibits school district from adopting procedures or student support forms that prohibit school district personnel from notifying parent about specified information or that encourage student to withhold from parent such information; prohibits school district personnel from discouraging or prohibiting parental notification & involvement in critical decisions affecting student’s mental, emotional, or physical well-being; prohibits classroom discussion about sexual orientation or gender identity in certain grade levels; or in a manner

that is not age-appropriate or developmentally appropriate for students in accordance with state standards; requires school districts to notify parents of healthcare services; authorizes parent to bring action against school district to obtain declaratory judgment; provides for additional award of injunctive relief, damages, and reasonable attorney fees and court costs to certain parents.”

State Board Rule 6A-1.094124, FAC, stipulates that examples of theories that distort historical events and are inconsistent with State Board approved standards include the denial or minimization of the Holocaust, and the teaching of Critical Race Theory, meaning the theory that racism is not merely the product of prejudice, but that racism is embedded in American society and its legal systems in order to uphold the supremacy of white persons. Instruction may not utilize material from the 1619 Project and may not define American history as something other than the creation of a new nation based largely on universal principles stated in the Declaration of Independence.

This agenda item seeks the Board’s approval to direct the Superintendent to conduct a comprehensive review and explore the feasibility of securing the services of an independent firm to examine the voluminous content of all websites, digital links, resources, and learning management system(s) of all District departments inclusive of any information that pre-dates the passage of current Florida law, to ensure compliance with Florida law or State Board of Education rule, 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, and CS/CS/HB 1557 (2022), *Parental Rights in Education* which is now codified in section 1001.42, F.S., and now codified in sections 1000.05,; 1003.42, 1006.31, 1012.98, Florida Statutes, and to present the findings and plan of action to correct any findings that are deemed to not comply with applicable Florida law, at the May 10, 2023, Academics, Innovation, Evaluation and Technology Committee meeting.

This item has been reviewed and approved by the General Counsel’s Office as to form and legal sufficiency.

**ACTION PROPOSED BY
MS. MONICA COLUCCI:**

That The School Board of Miami-Dade County, Florida, direct the Superintendent to:

1. conduct a comprehensive review and explore the feasibility of securing the services of an independent firm to examine the voluminous content of all websites, digital links, resources, and learning management system(s) of all District departments inclusive of any information that pre-dates the passage of current and applicable Florida law, to ensure compliance with Florida law or State Board of Education rules, and more specifically, the Parents’ Bill of Rights, which is now codified in chapter 1014 and section 1002.20, Florida Statutes, outlines parents’ rights regarding the education of their children, and CS/CS/HB 1557 (2022), *Parental Rights in Education* which is now codified in section 1001.42, Florida Statutes., and, now codified in sections 1000.05, 1003.42,. 1006.31, 1012.98, Florida Statutes; and
2. Present the findings and plan of action of this comprehensive review at the May 10, 2023, Academics, Innovation, Evaluation and Technology Committee meeting.